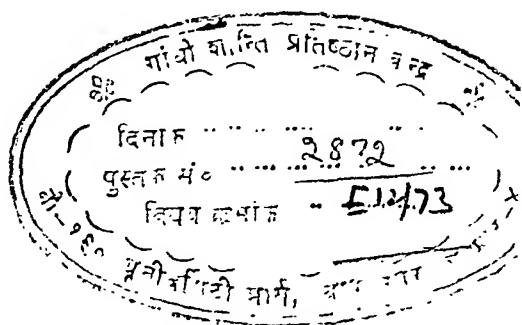




THE MAN WHO MATTERS

# TWO NATIONS AND KASHMIR

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and "A Continent Decides"*



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## DEDICATION

### To the Kashmiris

'They were in truth a very hopeless people, but as they gained confidence they threw off their indolence, and I saw large tracts of country which had been left waste turned by their skilful toil into fat belts of fertile fields. I saw, also, the growth of self-respect and of manliness, and am confident that under a just government they will win a good name.'

SIR WALTER LAWRENCE

In general, pride is at the bottom of all great mistakes.

RUSKIN





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## NOTE

**T**HE David Davies Memorial Institute of International Studies was formed in 1951 to commemorate the work for world peace of the late Lord Davies of Llandinam, who died in 1944. Lord Davies was one of the pioneers of the League of Nations movement and was particularly identified with the New Commonwealth Society, which in the years before 1939 conducted an energetic campaign for the creation of an International Force and an Equity Tribunal for the settlement of political disputes. The New Commonwealth attracted a considerable measure of influential support in many different countries, including that of Sir Winston Churchill, who became its President in 1934 and still holds the same office in the David Davies Memorial Institute. In view of the progress towards the basic ideas of the New Commonwealth represented by the formation of N.A.T.O. and other post-war developments, those responsible for the direction of the Society decided to bring its propagandist activities to an end and to establish in its place the new Institute, which focuses its attention upon promoting the objective study of international problems.



## INTRODUCTION

WHEN I came to think out the construction of a previous work,<sup>1</sup> I had in mind to relate the story of the passing of power on the Indian sub-continent and some of the problems which immediately confronted the two new States. Vaguely I thought that about two chapters would cover the Kashmir issue. Time went by, and by 1953 my first intention had expanded to a complete section of eight chapters.

In the meanwhile at least three works appeared on the problem,<sup>2</sup> and, with long periods of apparent stalemate in Kashmir, at first sight there seemed little scope for further research. Nevertheless it was suggested to me that I should write another and more complete account than the first attempt. There was perhaps something to be said for the story being retold by one who had some experience of the days of British India and for whom the problem of Indo-Pakistani relationship was therefore of much more significance than an academic study in international disagreement. So when the David Davies Memorial Institute of International Studies came forward with an attractive proposal offering me the facilities to return to the sub-continent, I gladly accepted the opportunity.

I am profoundly conscious of the responsibility of a citizen of the British Commonwealth in telling this story: for one reason, there is a tendency in India and Pakistan to interpret his approach as the official view in Whitehall. Let me therefore stress that the comment, views, and judgment throughout this work are mine and mine alone. If that be accepted, I would further ask that this record be regarded as impartial. The claim needs some elaboration, since I in no way imply that criticism is balanced evenly between the two countries concerned. As I see it, the scales of justice are symbolic not of equal weight on either arm, but of a revelation of a preponderance of weight on one arm over the other. The claim I make is of this nature. When, in August 1947, British India was partitioned, I would with willingness have gladly worked in either of the two new States. As for Kashmir, at the time I was unaware of the complexity of the problem. On my visits to the State I had noted that the few Brahmans of the valley seemed unpopular in the countryside. Yet had I then realised the significance of Sheikh Abdullah I would probably have said that a plebiscite should be held with or without

<sup>1</sup> *A Continent Decides*. Robert Hale, 1953.

<sup>2</sup> *The Struggle for Kashmir*, Michael Brecher. The Ryerson Press, Toronto, 1953. *Danger in Kashmir*, Josef Korbel. Princeton University Press, 1954. *History of the Struggle for Freedom in Kashmir*, Prem Nath Bazaz. Kashmir Publishing Company, New Delhi, 1954.



the co-operation of the Maharaja's Government and the people be allowed to express their wish. If, as I believe, Abdullah had then been confirmed as the people's leader, I would have risked the fate of the Kashmir Valley in his hands. In these circumstances all the indications were that Srinagar would at that time have turned to India, Poonch and the Frontier States breaking away to join Pakistan. I stress the point to indicate that impartiality implies the condition of mind in which one makes the first approach. An impartial conclusion is, therefore, one that arises out of impartiality. But the conclusion itself is not for that reason such as would necessarily judge the two parties concerned equally to share the blame.

There is another and more profound reason for regarding this task of writing about Kashmir as a grave responsibility. I doubt if there has ever before been an occasion when an Englishman has attempted to record a quarrel of this magnitude between two Commonwealth member-States. If he is told to write about Costa Rica and Nicaragua in conflict it really does not matter profoundly if he makes a slip. But the impression of a careless phrase or an out-of-hand condemnation by an Englishman writing of Commonwealth States in disagreement could be far greater than the author's obscure status might justify. In stating the truth as I see it, I have credited leadership, wherever it is concerned with the ability to give and take criticism in that spirit of tolerance which is the essence of democracy and which we believe is firmly entrenched in the strange partnership of nations known as the Commonwealth.

There was a time when I was a passionate advocate of the Commonwealth in general and the United Kingdom in particular taking a decisive share in the arguments which surround Kashmir. I have come to realise the difficulties. But there is a need always to differentiate between "interference" and "influence". The former might place all sorts of unwelcome strains and stresses on the Commonwealth relationship, while the latter should be but the manifestation of a desire to help as and when required. At all costs the charge of *indifference* is to be met and defeated; which perhaps presents a not unimportant motive in writing this book.

Many of those who knew Northern India in the nineteen-twenties and thirties will recognise a contribution from a great artist on the jacket of this book. Hal Bevan-Petman was once a teacher at the Slade School of Art. After catching the public eye with a series of astonishing pin-up girls in a fashionable London weekly, he settled down to paint seriously in Delhi, Kashmir and Lahore. He now lives in Rawalpindi, Pakistan, painting many portraits and reaping the benefit not only of his great talent, but also of his sunny and engaging personality.

I am much indebted to Mr. Josef Korbel for permission to reproduce information and material from his book *Danger in Kashmir*, and have drawn on his work freely. In his position on the United Nations Commission which attempted a settlement, he was able to throw new

light on many aspects of the problem and make correspondence available which otherwise would have lain neglected. Another work for which I have been grateful, unknown in England, is that of Prem Nath Bazaz.<sup>1</sup> This immense review of 723 pages is the most complete account of the political maze within Kashmir that has yet been attempted. International opinion is often moulded by a study of the more conspicuous proceedings at the United Nations. The names of the local actors and the part they play remain unknown. It is their due that they should receive recognition: and in so far as I have attempted to unravel the confused drama of internal polemics within the State, I have drawn freely on the work of Prem Nath Bazaz, to whom I am also grateful for his careful attention in talks in Delhi. As a result of studying Mr. Panikkar's memoir on Maharaja Gulab Singh, I confess to some adjustment of my previous view of this powerful personality:<sup>2</sup> and I hope I have been able to present a fairer picture of his fashioning of the modern geographical expression, Kashmir.

I have to thank so many people for facilities and hospitality that it is not possible to record the names of all those involved. Nor is it easy to criticise those who were forbearing and courteous in relation to their views, contrary to my own, on Kashmir. I therefore hope I have nowhere sunk to offensive abuse of any individual who allowed me to pick his brains or who helped to smooth the path of investigation. In particular this must apply to Shri Jawaharlal Nehru. I have attacked him where, in honesty to myself, I could not avoid an unpalatable conclusion. Yet this should in no way diminish my esteem for one whose tireless commentary and influence on the international scene are a constant cause for astonishment and admiration. I could wish that in this single issue of Kashmir he might have risen to those heights of statecraft which are reached when leaders risk unpopularity. He was kind enough to give me an hour on a busy morning when he exercised patience and a friendly understanding in discussing a theme, Kashmir, which I had been led to believe was, for him, provocative enough for an explosion.

A glossary is included in which every unfamiliar word, Hindi or Urdu, used in the text, is given a rough translation. A note on Indian currency is also included. The only other comment on my method concerns the way in which the book had to grow involving the recording of events as they took place.

In expanding eight chapters of a previous work into the present chapters, I soon discovered the difficulties of revision. It might have been simpler to have ignored my first brief inquiry. It did, however, seem that in introducing many passages covering the former story, the reader would recognise a process of modifying or changing views which should have some historical value. An incidental result was also that

<sup>1</sup> See footnote 2 on p. xiii.

<sup>2</sup> *The Founding of the Kashmir State*, K. M. Panikkar. Allen and Unwin, 1953.

each chapter emerged as a separate phase and can therefore be read outside the context of the surrounding material.

Kashmir and its future has a habit of getting tied up with many subsidiary problems. For example, when Mr. Nehru introduced the factor of American military aid to Pakistan, he provided an author with an obvious opportunity for another chapter. The same could be said of the quarrel over the canals and rivers.<sup>1</sup> In the case of the description of American military aid and its repercussions I confess to have wandered somewhat from the strict application to Kashmir and indulged in some armchair speculation. I can only plead that one thought leads to another and the picture as a whole should be painted if a portion of it is to be recognised. So far as I am aware no one has yet given much attention to the affairs of the Azad Kashmir Government, nor has the strategic significance of Kashmir in global strategy yet been appreciated. These are some of the extraneous matters which cling round the Kashmir problem and on which I have attempted to throw some light.

It is always tempting to insist that a story of this nature chosen to fill a book is of vital and immediate international significance; to portend that great issues hang in the balance and to conclude that only immediate action can save a crumbling situation. In all honesty I cannot say that such is the case with the Kashmir problem of 1955. Four years ago there was a real danger. To-day the urgency has vanished. But it has, I am fairly certain, yielded only to a sense of false security. The problem remains dormant so long as nothing occurs to remind us of its existence. Yet directly the leaders meet and discuss a settlement the temperature immediately rises. It may be that if there were to be an end to all negotiation, the matter might one day be forgotten. If an arm is placed in a sling and kept there, sooner or later it withers and dies. In the same way if the years go by and no move is made by those concerned with Kashmir, a new generation might come to forget how it all began, and the cease-fire line would be accepted as the permanent frontier. Time would play its part as a final but rather unsatisfactory healer. I doubt if the story can have so banal an ending, even though a slow, tortuous healing might be better than a solution through more precarious and controversial processes.

It is curious to reflect that in the days when a Maharaja ruled Kashmir not more than a few thousand visitors, Indian and European, took advantage of the facilities to appreciate the country. I believe that once sanity returns, within a few years there will be a railway into the valley and tourism in all its vulgarity and inconsequence will be back again. And why not? Let them all come, so long as Kashmir may take its legitimate profit!

Let us assume, then, that within twenty years the problem will have been solved. Let us not inquire too deeply as to the nature of the

<sup>1</sup> This particular problem lends itself to separate study and has been dealt with in Appendix XII.

solution. We picture a homeland in which Kashmiris can once again take pride, and for the advancement of which they themselves will have assumed their full responsibility. If to this we add an open invitation to the world outside in its leisure to come in and bask in its gardens and laze in boats on its lakes, would we be building a castle in the air? I think not: and if I am right, then I can hope that in those distant days, somewhere in a library in Srinagar this narrative of the mid-century crisis of Kashmir will be sought out and read in bewilderment that sanity, returned, could ever have evolved from so much human folly.



## CHAPTER ONE

### KASHMIR IN PAST CENTURIES

**I**N a small library which I inherited covering the entire Indian scene onwards from the lost years of Aryan invasion, there is one book which I like to pull down and browse over lovingly, for its faithful illustrations no less than for its intriguing subject-matter. It is *Kashmir*, described by Francis E. Younghusband and painted by Edward Molyneux. The book, published in 1909, is one of those old friends, clear and bold in print, luxurious in upholstery, simple, uncontroversial and direct in style; a type, alas, representing a lost art in either composition or reproduction.

Its author needs no introduction. Sir Francis Younghusband left his mark in a wider sphere than that of his beloved Kashmir. But I could wish that somewhere in a friendly London gallery the illustrations with which Major Molyneux<sup>1</sup> enriched the work could have been collected and preserved. They would hardly reconcile with the crude sophistication of to-day. Yet they were faithful to the Kashmir of Younghusband.

“As the faint signs of dawn appeared I began the ascent of the mountain. The heavens were clear and cloudless. The bluey-black of the sky imperceptibly faded into grey. The mountain slowly turned from grey to brown as we steadily worked upward. The reposeful stillness which is the characteristic charm of the mountains was only broken by the cheerful chuckle of the chikor, or the occasional twitter of a bird calling its mate. Then as we reached the summit of a ridge, and I looked out through the greys and browns, a sudden truth struck through me as, all unexpectedly, my eye lit on the long flush of rosy pink which the yet unrisen sun had thrown upon the distant mountains.”

We may smile at the romanticism of words no less than illustrations. Yet together they convey in 274 pages all that a small privileged community of English men and women could wish to remember, when their minds travel back to this country so abundantly rich in the beauty which nature can bestow. My task, alas, is not concerned with the Kashmir of lakes, or clusters of iris, or the shade of chenar foliage. In striking contrast, it is to tell the ugly story of a storm-centre of political controversy. But it so happens that Younghusband's book includes a

<sup>1</sup> Major E. Molyneux, D.S.O., an officer of the 12th Bengal Cavalry. One of his larger canvases, “The Sind Valley”, hangs in the Officers' Mess of Probyn's Horse, now a unit of the Pakistan Army.

clear account of the history of the Kashmir State, and I have drawn on it freely in this brief summary of past centuries.

The first question which a student of the modern problem will ask himself is, exactly how did the area known to-day as Kashmir come to be enclosed within a single boundary? In a land which sprawls over 84,000 square miles of mountains and which includes Brahmans, Tibetans, Buddhists and Moslems, isolated from each other by social custom and physical distance, how did a central control ever come to develop from the city of Srinagar in the valley? In finding the answer, it will perhaps assist if at this stage I attempt a brief account of the people, the administrative framework and the geography of the country.

The geographical expression, Kashmir, covers 82,258 square miles and includes communities with as little in common with each other as a Scandinavian has with a Spaniard. We are apt to think of an exaggerated homogeneity because of recent years we have been constantly reminded of the fact that of its population of four million, over three million are Mohammedans. The problem is therefore always presented to us as one of a small Dogra tyranny dominating a vast number of Moslems. In fact it is a mountainous country of no roads, whose isolated groups are conscious only of their own existence, and have consequently easily been divided to be ruled by powerful invaders for many centuries. For example, in eastern Ladakh some 40,000 Buddhists have for centuries lived in complete and serene isolation.

The heart of this beautiful country is the Jhelum Valley, an oval plain, 100 miles in length and 30 miles in breadth, which stretches from east to west, sheltering within the mighty protection of the Karakoram and Pir Panjal ranges, and only a few days' journey from the plains of Pakistan and India. Within this valley dwell the people we know as Kashmiris, distinct from their co-nationals of the distant inaccessible areas, a gentle, friendly people of little stamina who in trouble bark loudly, but who seldom really bite.<sup>1</sup> Little wonder that their pathetic incompetence has been successfully exploited by Scythian Hindu Princes, Moghul Emperors, Durrani of Kabul, and Ranjit Singh the Sikh. Finally the award to Gulab Singh, the Dogra, handed them as easy prey to a Hindu Dogra dynasty.

We need thoroughly to understand this quality of hopeless resignation which permitted exploitation, if we are to appreciate the psychological significance of the presence to-day of Indian armed forces in the Vale of Kashmir. That great sage of modern Islam, Sir Mohammed Iqbal, himself a Kashmiri, in shame and sorrow wrote of the plight of his people. "The Kashmiri has come to hug slavery to his bosom. . . . A stranger to the dignity of self, ashamed of his ego." Sir Zafrullah Khan was a little more realistic and less poetic when, before the Security Council, he

<sup>1</sup> It is important that the reader should appreciate that in referring to Kashmiris in the historical account, invariably the reference is to the population (approximately 1,500,000) of the central valley.

said that one soldier armed with no more than a bayonet could drive 4,000 Kashmiris in whatever direction he desired. It is this inherent sense of inferiority which Sheikh Abdullah recently claimed to have conquered for the greater dignity and welfare of the Kashmiri.

Centuries of impoverishment have not encouraged the Kashmiri to an awareness of his status. He is dirty and untidy. He wears shapeless, colourless clothes. But there is one contradiction in his make-up. It is his excellent physique. He will handle a load on his back for many hours of the day such as would defeat any of his brothers from the plains of India. He is devoid of physical courage. He will suffer and endure, but he will not fight. I have watched a couple of Kashmiris hurling insults at each other, the perspiration standing out on their brows, their raised fists clenched for the first blow. But it never falls! In contrast to his womenfolk, who are invariably beautiful, his looks are not outstanding. It is when he tackles the domestic crafts and arts which have found their way into thousands of English homes, that the Kashmiri appears in a more promising light. Copper ware, wood carving, weaving, baskets, papier mâché, all reflect a care and skill which one could wish to see fostered by a wise dispensation and a free flow of trade.

Previous to 1947, the State of Jammu and Kashmir divided into the Kashmir Province, Jammu Province, the small State of Poonch, the Gilgit Agency, which included Hunza and Nagar, and the mountain areas of Baltistan and Ladakh. It is the Kashmir Province which includes the Jhelum Valley, and which is generally regarded as a prize worth the whole of the remaining areas of the State. In 1947 an analysis would have shown that in the valley Moslems comprised 90 per cent. of the population, nearly all being converts from Hinduism within the last 400 years. The Jammu Province as a whole held a slight Moslem majority of 53 per cent. But a closer analysis would show that the province could be regarded as bisected by the River Chenab, to the south and east of the river being predominantly Hindu, to the north and west, Moslems being in the majority. Poonch, which was governed by curious circumstances to be described later, was a State within a State, the ruler being of the same family as the Maharaja, his subjects being Moslems. They, however, had nothing in common with their suppressed Kashmiri brethren in the neighbouring valley. Their ties were with the Punjab, and for many years they had provided the Army of British India with some of its finest fighting stock. The remaining areas were non-controversial. The Gilgit Agency could be regarded as entirely Moslem; Baltistan as mainly Moslem with influences from Central Asia; while Ladakh has always been completely Buddhist. In the case of Baltistan the country was so remote and its small population so scattered that it could hardly be said to have mattered very much where exactly lay the focus of its desires. But with the possibility of influence penetrating from Sinkiang, the modern significance of Baltistan cannot be ignored.



The earliest evidence of which there is tangible record tells us that much of modern Kashmir was included in the Empire of the great Asoka. Buddhism, the State religion of Asoka's realms, came to Kashmir in the age of Græco-Buddhist influence and stamped its imprint in the central valley in that distinct but hurried manner which marked Alexander's lightning conquest of northern India. Here and there massive ruins of Buddhist temples and *stupas* are testimony to the Emperor who founded the first city of Srinagar.<sup>1</sup> It is of interest to note that Kashmir history thus begins with an imposition, and a very welcome one, from outside.

Asoka's beginnings bore fruit and Buddhism in Kashmir reached its peak under the Scythian king, Kanishka, who ruled upper India in A.D. 40. But with the rise of Brahmanism in the valley, decay set in, and by the sixth century Asoka's city had disappeared. There followed six centuries of obscurity, until in the early years of the eighth century a ruler appeared who, even if he had achieved nothing, would nevertheless merit our interest and respect; for there seems every reason to believe that he was a true Kashmiri. His name was Lalitaditya, a man of humble stock whose family had worked their way to power through a faculty for leadership. The fortunes of Kashmir rose. Here for a period was an indigenous king with the power and ability to extend his influence outwards from the heart of his kingdom. It is recorded that his authority covered the foothills of the Punjab, reached into Tibet and spilt over into central Asia. One superb monument at Martand marks his reign. Martand is not remembered among the relics of fame. It is less exuberant than Baalbek; it is smaller than the great rock temple of Ellora and far younger than any of the landmarks of the Græco-Buddhist era. But I know of no monument which can claim to be set in so glorious a frame as Martand's great lonely stones on an open plain with the dazzling peaks of the Pir Panjal range to watch over them through the centuries.

Subject to the usual trail of Court jealousies, intrigues and frequent assassinations, the dynasty of Lalitaditya flourished for many years, closing with the reign of Avantivarman<sup>2</sup> in a decade or so of stability and wealth. Avantivarman's successor is reported to have attempted again the extension of his kingdom into the Punjab and to have invaded Hazara. Here surely lies the significance of these forgotten pages of Kashmir history. These were the years when Kashmir controlled her own destiny. In the centuries which followed, foreigners came into the land and the people, leaderless, developed that helpless, supine approach to life which permitted 500 years of exploitation. Yet before we make up our minds as to whether the modern Kashmiri is really by nature incapable of independent status, it is as well to recall that there was a time when in fact he took charge of his own affairs and exerted pressure

<sup>1</sup> Situated on the present site of the village Pandrathan, 3 miles above the existing city.

<sup>2</sup> The founder of Avantipur, lying 30 miles above Srinagar.

on others, instead of having to bear the burden himself. It would not have been unnatural if, in 1953, Sheikh Abdullah had allowed his mind on occasion to dwell on these tempting vistas of past history.

Indigenous rule continued in Srinagar for many years. Deterioration set in. Military cliques strove for power at the expense of feudal landlords. A princess from Poonch gained power and exterminated all who stood in her way, even to murdering two of her own grandsons. A century of bloodshed and intrigue reached its height under the Hindu King Harsa (1089-1101). In the meanwhile Mahmud of Ghazni had descended into India and the sword of Islam was taking its toll in the Punjab. It is to be noted that in 1015 Mahmud made an unsuccessful attempt to carry his devastating proselytism into Kashmir. Moslem rule was not to be established until the twelfth century, when Raimchan Shah, a Tibetan adventurer, seized power and embraced Islam.

The years of savagery continued, power passing to the ruler who could most successfully put away any member of his family attempting competition.<sup>1</sup> We are apt to regard the record of barbarity in some spirit of relief, believing that man in the process of time learns the wisdom of tolerance. Yet, in contradiction, Sir Francis Younghusband recalls their reluctance to learn.

“When I visited Hunza in 1889 the then chief—now in exile—had murdered his father, poisoned his mother, and thrown his two brothers over a precipice.”

In 1947 the Punjab became a blood-bath comparable to the excesses of any ancient dynasty one cares to choose, while the massacre of the inmates of the convent at Baramula reminded us that these things could happen again in Kashmir. It so happens that in relating the modern story of Kashmir I shall be recording persecution mainly as a traffic in one direction, from Hindu to Moslem. Yet in another area or in another age it could well be the reverse; and the fair way to regard events in northern India in 1947 is not to speak of barbarism in relation to Moslem or Hindu, but as the madness of whole communities of many millions stripped suddenly of their coating of civilisation.

It is therefore interesting to record that when, as late as 1339, a Moslem ruler, Shah Mir, deposed the widow of the last Hindu King of Kashmir, the administration of the country continued undisturbed in the hands of its traditional custodians, the Brahmans. Of greater significance in relation to the events of to-day is a later situation. From 1420 to 1470, under a Moslem ruler of Kashmir, Zain-ul-Abudin, the country enjoyed a golden era of tolerance and progress. Oppression ceased. Canals and bridges were built. Religion and the arts flourished whether their background was Moslem or Hindu-Brahmans. Zain-ul-Abudin was a lover of music, and under his patronage musicians came to Kashmir

<sup>1</sup> Such knowledge of Kashmir's history of this period as comes to us, is through the celebrated Kashmiri historian, Kalhana, of the twelfth century.

from Iran, Arabia, Samarkand, Kabul and Delhi. Schools of music were founded and at Court voices chanted to the lute and the *ud*. A library was collected and a university established. In short, all that the dreamer could hope for in so fair a country was for a time fulfilled.<sup>1</sup>

Alas, the days of Kashmir's independence were drawing to a close and generations of foreign domination were at hand. In 1532 Mirza Hyder invaded and conquered the country, to be followed in 1587 by the great Moghul, Akbar. There followed two centuries of Moghul domination, which, however, can in no way be regarded as tyranny. The traveller, Bernier, records that up to the time of Aurangzeb "the whole kingdom wears the appearance of a fertile and highly cultivated garden".<sup>2</sup>

If the Moghuls had done nothing else, they would yet merit the gratitude of Kashmir for leaving to future generations two gardens, Shalimar and Nishat, whose beauty must move the most insensitive to awe and some understanding of æsthetic values. In fact it was the Emperor Jehangir whom we have to thank for laying out the gardens. Nature did the rest for him. He had the lotus lake in front and the mountains behind. It needed only the Persian traditions of the Moghul dynasty to put the formality of a garden into the most glorious site in the world.

In India the eighteenth century heralded the decline and fall of an Empire which had overreached its strength, and by 1752 another dispensation—that of Ahmad Shah Abdali of Afghanistan—had asserted itself, cruel and callous, devoid of grace or humanity. Rule was by privilege, and he who could wring the greatest revenue out of the peasantry received his reward. It was to free themselves from this tyranny that in despair the people turned to Ranjit Singh, the Sikh, in the Punjab. Alas, they were to receive no comfort; for the Sikh rule of three short decades proved to be as rapacious as that of the Afghans. Oppression appears to have taken the simple form of communal revenge on Kashmir's Moslems for the suffering previously endured by the Sikhs in India at the hands of Aurangzeb.<sup>3</sup> But the Sikhs were not alone in their exploitation of the country. It so happened that a certain Raja Gulab Singh, a Dogra Chief of Jammu, had assisted them in overcoming Afghan resistance, and as a reward in 1820 they established him in control over the whole of the Jammu Province. Thereby was initiated a chain in history the links of which lead down to the modern problem of Kashmir. It is to the fortunes of this rather ruthless but very successful leader of men and the dynasty which he founded that I turn, conscious that we arrive at an era of intense interest for many Englishmen whose experience it was within these last forty years to be associated with Kashmir under the controversial control of the Dogra ownership.

<sup>1</sup> Pearce Garvis has written a comprehensive modern work covering the cultural Arts of Kashmir: *This is Kashmir* (Cassell), 1954.

<sup>2</sup> Francis Bernier, the first European to enter Kashmir, in 1665.

<sup>3</sup> Sir William Barton recalls that the penalty imposed on a Sikh for slaying a Moslem was Rs 20 (Barton: *The Princes of India*, Nisbet and Co., 1934).

## CHAPTER TWO

### THE DOGRA DYNASTY

IT is difficult for the layman to understand the significance of the term "Dogra Rajput". We need, however, only to recall that at one period the warrior caste of Rajputs, having occupied much of northern India, eventually contracted on to the area we know as Rajputana, now termed "Rajasthan". In the process they left behind many pockets in the Himalayan foothills. One such pocket was the Dogra Rajput clan of Jammu, of whom Raja Gulab Singh was the dominating personality in the nineteenth century.

Confirmed in his control of Jammu, Gulab Singh proceeded to extend his new power into the heart of Kashmir. In the 1830s he brought Ladakh under control and in 1840 he captured Skardu, extending his claims over all Baltistan. In 1842 he turned towards Gilgit. Here, then, is the answer to the question in the previous chapter. The frontiers of Kashmir are modern. Gulab Singh, more than any single man, was responsible for the delimitation of a line on the map of Central Asia which on political considerations enclosed a completely artificial area, a geographical monstrosity which then assumed the name of the land of the Jhelum Valley, Kashmir. In the modern entanglement it is seldom recalled that the dynasty which in effect created the political State now claimed by India and Pakistan was removed five years ago from the arena of controversy. In 1839 Ranjit Singh, the Sikh, died. There followed a mutiny of the Sikh garrison in Kashmir, accompanied by violence. Ranjit's son, Sher Singh, entered the State with an army in 1841 to restore authority; but in fact it was Gulab Singh who took control quelling the revolt with ruthless efficiency and thereby further consolidating his position as the ruler of a country which was still nominally under the Sikh Government in Lahore.

It is hardly fitting in a work on Kashmir to dismiss these events as mere milestones in history. The campaign in Ladakh was in fact packed with adventure. It was in 1834 that Gulab Singh, after sounding the East India Company on their reactions, decided to attack King Tsapal of Ladakh. Under a redoubtable commander, Zorawar Singh, a Dogra army entered the country, defeated Tsapal and promptly reinstated him as ruler on behalf of his master, Gulab Singh. An indemnity and an annual tribute were demanded. But Gulab Singh had not reckoned with the Sikh Governor of Kashmir who held Srinagar for the Lahore Government. The Ladakhis were encouraged to revolt, and it was not until 1840 that they were finally crushed, King Tsapal in the meanwhile once more having lost his throne and been restored to power. Zorawar

Singh now turned towards Baltistan and with the help of a locally raised Ladakhi army he defeated the Balts and captured Skardu. Not content with these conquests, he at last overreached himself in an ambitious thrust into Tibet itself. Just as Napoleon's armies had met their fate in the open snow-spaces before Moscow, so Zorawar's men were trapped in the mid-winter of 1841 on a battlefield 15,000 feet above sea level in Tibet. Pressure had previously been brought on Gulab Singh to evacuate Tibet, and Captain Cunningham had actually been ordered to Ladakh to report on the evacuation. But in the meanwhile Zorawar Singh and his men perished. This disaster was the signal for the Ladakhis once more to rise, with assistance from Lhasa. Gulab Singh was equal to the occasion. A new army was raised under Dewan Hari Chand and inflicted a final defeat on the Ladakhis and Tibetans at Drangtse in the summer of 1842. A treaty was then signed establishing friendship and unity, in artless romanticism "for ever". It was quickly followed by a wider agreement between the two Powers to whom Gulab Singh and the Lhasa Government owed allegiance, the Sikh Government in Lahore and the Emperor of China.<sup>1</sup> The treaties appear to have been mainly concerned with the confirmation of the ancient trade procedure by which traders from Lhasa would continue to receive local supplies of labour and transport.

On Ranjit Singh's death there was chaos in Lahore, followed by a scramble for succession. Eventually the infant Dulip Singh was placed on the throne, and a Council of Regency was appointed, with the real power passing into the hands of military committees. For a brief period Gulab Singh's position became precarious. He was brought to Lahore as a prisoner and made to hand over a fine of a crore of rupees. Then with dramatic suddenness his fortunes were restored. The Sikhs had foolishly decided to challenge British authority south of the Sutlej, and their decision provided Gulab Singh with his golden opportunity.

In November 1845 the Sikh army crossed the Sutlej and faced the small British and Indian force encamped by Ferozepore fort. There followed the bloody but indecisive battle of Mudki, the more decisive defeat of the Sikhs at Aliwal, and the dismissal of their Minister, Lal Singh, for incompetence. It was then that, in the manner by which loyalties were sought and renounced overnight once again the Sikhs turned to Gulab Singh. But in the meanwhile on 10th February, 1846, the Battle of Sobraon had seen the final eclipse of Sikh power and the way was open for those negotiations which confirmed Gulab Singh in ownership of the most coveted of all prizes.

On 19th March 1849 Joseph Cunningham, a lieutenant of Engineers,

<sup>1</sup> As recorded by Mr. Panikkar the signatories were the King of the World, Shri Khalsaji Sahib (Sher Singh), Shri Maharaja Sahib Raj-i-Rajgan Raja Sahib Bahadur (Gulab Singh) on the one hand, and on the other side the Khagun (Emperor) of China and the Lama Guru Sahib of Lhasa. (*The Founding of the Kashmir State*, K. M. Panikkar. Allen & Unwin).

achieved prominence through the publication of his *History of the Sikhs*, a searching and careful work covering the origin of the Sikh nation and closing with the Sikh Wars.

Cunningham had known the Sikh frontier as a political officer and had been attached to the staffs of both Sir Charles Napier and Sir Hugh Gough. At Sobraon he served with the Governor-General, Sir Henry Hardinge. At the time his services earned him a brevet and an appointment in Bhopal State, where he presumably wrote his *History*. Much of Cunningham's detailed account of events in 1846 may be summarised as an accusation that the British had an understanding with Raja Gulab Singh of Jammu by which the Sikh army should be attacked and abandoned in defeat by its own Government. "Under such circumstances of discreet policy and shameless treason was the Battle of Sobraon fought," wrote Cunningham. His frankness cost him his career, and he was removed from political employment by the East India Company and returned to military duty.<sup>1</sup>

The story, as he tells it, relates how in 1846 the Governor-General was able to satisfy Gulab Singh, who by then had become an embarrassing element in the general post-war settlement with the Sikhs. Gulab Singh has been described as both avaricious and ambitious. He appears to have been tolerant in religious matters, his tyranny at least being unrelated to religious prejudice. He was courageous, energetic and successful. The quality which, however, was in evidence from the point of view of British negotiations was his extreme skill in secret diplomacy.

After their war with the Sikhs, the British demanded an indemnity of the Sikh Government in Lahore, but since little of it could be taken in money, territory was ceded instead. Kashmir and the Hill States from the Indus to the Beas were accordingly detached from the Punjab and transferred to Raja Gulab Singh as a separate sovereignty for the sum of £1,000,000. The final transaction was confirmed in the Treaty of Amritsar<sup>2</sup> of 16th March 1846, and in token of British supremacy under Article 10 of the Treaty, the rulers of Kashmir until recently presented the British Government each year with one horse, twelve goats and six Kashmir shawls! Exactly who profited from this rather uneven but quite practical generosity I have never discovered.<sup>3</sup>

The negotiations which led up to the award of Kashmir to Gulab Singh under the Treaty of Amritsar were long and involved. Gulab Singh, in whose hands lay the main responsibility for negotiation, had previously been a personal friend of Sir Henry Lawrence. He had carefully

<sup>1</sup> Cunningham died at Ambala in 1851, and was buried in the cemetery on the Grand Trunk Road near Ferozepore.

<sup>2</sup> The Treaty of Amritsar effected the transfer of "all hill country between the Indus and the Ravi for the sum of 75 lakhs of Rupees." It was preceded by a previous brief Treaty signed on 9th March 1846 with the Sikh Government in Lahore by which the principle of an award of territory was recognised. The terms of the Treaty of Amritsar are set out in Appendix I.

<sup>3</sup> I am informed that the shawls were annually presented to Queen Victoria.

refrained from any participation in the Sikh campaign against the British. Previously in 1842 he had rendered the British valuable service in procuring immunity from attack by the Sikhs, for their forces operating in the Khyber in their war with Afghanistan. The Sikhs had murdered his beloved brother, Dhyan Singh, who had served them well. Such was the chaos and intrigue at the Sikh Court in Lahore that any settlement leaving them in formal authority in Kashmir would have been meaningless. In the circumstances to negotiate with Gulab Singh was the obvious procedure and the award of Kashmir was the logical outcome of negotiation even if 100 years later the waywardness of history was to prove tragically unfortunate.

The reader may have wondered why I have dealt at some length with the distant events of another century. Their significance for our purposes is just this: that the modern Kashmir problem in no small measure derives from an award, the wisdom and integrity of which had been doubted, made by a British authority to a Dogra Chief from Jammu; and as such it would have been at least satisfactory if a British Government could subsequently have seen the matter through to its conclusion.

Thus it came about that a people numbering approximately four million, previously a Hindu kingdom with no choice but conversion to Islam, were now to suffer under a Hindu dynasty for their conversion. Strange travesties of justice are sometimes the fate of innocent humanity in the name of religion!

It is, however, only fair to those responsible for settlement at the time, that the circumstances by which Kashmir was sold away should be appreciated. The Punjab had not been annexed and was not finally overrun until three years later, when, under continual provocation from the Sikhs, the Company's army reluctantly fought a second campaign and extended its influence to the Indus. A glance at the map will reveal that the conditions would have been such as to have placed a British control in Kashmir in geographical isolation. So far, then, from a policy of Imperial expansion dictating events, in 1846 we were the victims of our own temerity.<sup>1</sup> Wisdom after the event is always a temptation. In this case wisdom in Kashmir would have included the bold decision to have gone forward at least to the River Jhelum in the Punjab in 1846.

Kashmir did not immediately fall like a ripe plum into Gulab Singh's hands, since the local Governor appointed by the Sikhs did not take kindly to the new loyalty demanded of him. British troops despatched to Jammu had therefore to ensure that Gulab Singh was free to consolidate his position in Srinagar. In fact under the treaty previously concluded the British were under some obligation to render assistance, a circumstance which Maharaja Sir Hari Singh 100 years later was to remember with some bitterness.<sup>2</sup>

<sup>1</sup> The situation was set out in *The Letters of Queen Victoria*, Sir Henry Hardinge to the Queen, 18th February 1846. (See Younghusband's *Kashmir*, p. 171.)

<sup>2</sup> Gulab Singh contracted "to join the whole of his military force with British

So far as improvement in the lot of his subjects was concerned, Gulab Singh was indifferent to reform. The peasant, his crops and his prosperity remained mortgaged up to the hilt to the State and its hierarchy of corrupt officials. Thus was it that an able ruler on whom fortune had bestowed material power and wealth in fabulous profusion passed away in 1857, friendless and unmourned so far as the land of his adoption was concerned. His son, Ranbir Singh, in contrast, gave to his weary people some respite. His old-fashioned benevolence won him the affection of his subjects. His family life was simple and exemplary. But it needed more than benevolence to make any noticeable impact on a people numbed by centuries of oppression. Even so, in a land in which apples and apricots were left to rot on the ground, for a time the Kashmiris were able to recover some semblance of a normal community life. A new assessment of the land revenue was calculated as three times that demanded in the British districts of the Punjab, a situation, strangely enough, which connoted a distinct advance on previous conditions.

But the methods of unscrupulous officials were gradually to undermine any permanent influence which the Maharaja might have exerted; so that when, in the autumn of 1877, unusually heavy rain fell, destroying crops which should have been collected, the people starved. A useless administration proved quite incapable of coping with an emergency, with the result that at least half the population died of starvation and whole villages lay deserted in ruins.

Such was the legacy which Ranbir Singh's successor, Maharaja Sir Pertab Singh, inherited in 1885. There followed a rule of forty years which on a modern assessment could hardly be described as "progressive", but which in comparison with so much misery in the past should certainly not be condemned out of hand. Pertab Singh was an old-fashioned, kindly, quiet little man, orthodox in religious observance and upright in the conduct of affairs. But one could hardly regard him as a zealous or enlightened reformer. I remember him for his enormous white *pugree* and his hesitating English. My father told a story of a conversation in which he had vividly related to the Maharaja the joys and annoyances of a long sea journey. The size of the ship, the excellence of the meals and service, deck quoits, dances and the suggestion that at times passengers were driven to their cabins, were described in faithful detail over a cup of tea. At the end the little man's single comment was "Did you womit?" Some may remember the awkward problems of the official cricket match, when at all costs arrangements had to be made for His Highness to score one run. Nevertheless British Residents must at least have welcomed an era when the man at the top did not set the pace in the oppression and exploitation of his subjects. Indeed, on public occasions the applause of the crowd indicated an affection for the

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troops when employed within the hills or in the territory adjoining his possessions", while in return the British undertook "to give aid to Maharaja Gulab Singh in protecting his territories from external enemies."



Maharaja which was difficult to reconcile with the sullen acceptance of the Brahman officials who operated the hated machine of government in his name.

With a ruler who responded to a correct friendly approach the role of successive British Residents in Kashmir was not exacting. In 1889, with sinister rumours of Russian activities to the north of Kashmir, the Maharaja was for a time deprived of his full powers, and a Council ruled in his place. It seems incredible to recall that a false accusation of treasonable correspondence with a foreign Power was made against him. Yet such was the case, and his powers were not restored until 1905. With this exception, relations with British Residents were such as to enable the Viceroy's representative to exercise his influence towards some introduction of reform. In particular the position enabled the Government of India on occasions to loan experts, technical and administrative, to the Kashmir Government, to the undoubted benefit of Kashmir.

In 1925 Pertab Singh died without an heir and succession passed to his nephew, Hari Singh, the son of his brother, Raja Sir Amar Singh, and a grand-nephew of Gulab Singh. Amar Singh, in contrast to the Maharaja, was a practical and capable administrator who had served as his brother's Chief Minister. Some of his qualities of head were inherited by his son. Unfortunately it has to be admitted that Maharaja Sir Hari Singh's equipment was not sufficient to overcome the dangers of corrupting power. His approach to life was very different from that of his uncle; and Pertab Singh had found it difficult to conceal his dislike of his nephew's modern appreciation of wealth and the good things of the West which wealth could purchase. As an example of their strained relations, we should note in comparison the attitude of Pertab Singh to the Raja of Poonch. At the same time I take the opportunity to explain the peculiar position of the small Poonch State.

Years previously, in 1820, when Raja Gulab Singh had received his first gift of the Jammu Province from a grateful Sikh dispensation, his brother Dhyan Singh, who had served Ranjit Singh as Dewan, was similarly rewarded with the lesser principality of Poonch. Later, when Gulab Singh gained control of all Kashmir, this small kingdom drifted into the status of a *jagir* of its powerful patron, the Raja of Poonch owing loose allegiance to his kinsman the Maharaja of Kashmir.<sup>1</sup> In the case of Maharaja Sir Pertab Singh, the Raja of Poonch was obviously the successor of his choice. But unable to overcome the hard facts of the status of Hari Singh as his rightful heir, he contented himself with establishing the young ruler of Poonch as his "spiritual heir", a move which in turn did not improve subsequent relations between Poonch and Hari Singh when the latter came to power.

It was as heir-apparent that the young Raja Hari Singh was to become

<sup>1</sup> With the exception of the city itself most of Poonch State is now in "Azad Kashmir" territory. The population of the State was 250,000 with a revenue, previous to 1948, of approximately Rs. 1,000,000.

the victim of an unscrupulous attempt at blackmail in the big way, and for a few days in 1921 the case of "Mr. A" was to monopolise the headlines of certain British newspapers. The case could only have encouraged the new Maharaja to regard many of the European visitors who came and went through Kashmir in the Indian summers with some suspicion. Not a few of them were quite prepared to criticise the ruler, yet accept his lavish hospitality.

Few Englishmen can have ever felt that they came to know Hari Singh. Many of us encountered him on the polo-ground, where mounted on the finest ponies which money could buy, on his day he could hit the ball as long and accurately as any player in India. A certain glamour always attended the movement of the Princes and their entourages in their winter descent on Delhi; and the Kashmir retinue were second to none in the effect they made. So far as polo was concerned, however, they had to admit that the last qualification which any of their players could claim was to be a Kashmiri! and they came to be known as one of the several teams passing as "hired assassins". Here and there are Europeans who have reason to be grateful to the last of the Kashmir Maharajas for much personal generosity and attention.

As to his State, Maharaja Sir Hari Singh remained in apparent indifference to the welfare of his people throughout the twenty-three years of his rule. While his own detachment contributed to the final *débâcle*, we should remember that he inherited a system of taxation and land revenue which allowed the barest margin of subsistence to the Moslem Kashmiri. The production of silk, saffron, paper, tobacco, wine and salt was a State monopoly. An *ad valorem* duty of 85 per cent. was levied on all woollen manufacture. The incidence of land taxation was still three times that levied in the neighbouring Punjab. The Maharaja by virtue of the Treaty of Amritsar was not only Sovereign Ruler over his domain but owned the land. Carpenters, boatmen, butchers, bakers, even prostitutes were taxed. Until 1934 the slaughter of a useless cow was a capital offence. The issue of arms licences was limited to Hindus. It is easy to blame the Maharaja in terms of the standards of a Western free democracy. It is not quite so fair to condemn when we assess him along with others of his order, and remember that British policy in general terms allowed princes to live and let live, and the Indian Political Department stepped in only when events were so obvious that they could not escape publicity.

My own acquaintance with this beautiful country dates back to an old house in Lincolnshire where my grandfather had smothered the walls with enlarged photographs of family groups depicting the carefree social life of northern India in the 1890s. For many years he and his three daughters had set off from Lahore for Srinagar, covering the 230 miles from Rawalpindi in a jolting *tonga* with the pony teams changing every six miles or so. My mother had stories to tell of three sleepy girls being turned out at five o'clock in the morning to strike camp and take to the

road; for my grandfather apparently drove his family on a tight rein. Those were times when a few annas tossed to the boatman produced a basket of vegetables sufficient for the needs of a family living on a house-boat for the next few days. The Kashmir I myself had known had lost the charm of isolation, and every year a few thousand English men and women motored through in the day from Rawalpindi, shot and fished in the valleys, played golf in Gulmarg on the most beautiful of courses, and bargained with the cheerful rogues in Srinagar for silks, furs and papier-mâché. Every time I made the journey I found myself turning over in recesses of the imagination the possibilities of this country under scientific and conscientious development. Marred the country might be under the impact of the European. But it was fascinating to reflect on the manner of the modern Utopia which might have emerged if that mutilation could have developed under ordered and progressive administration. The potential mineral wealth, the development of local rural industries, the crafts and patient skill of Kashmiri craftsmen, the opening up of the great mountain valleys, an electrified railway and—greatest of tasks—the clearance of the physical and moral filth which pervaded the hovels in and around Srinagar<sup>1</sup>; all these not unworthy dim reflections could have been the realities of to-day had it not been for that award to Raja Gulab Singh in 1846, which with imagination might have allowed for the prospect of some measure of British participation and control in a country so deserving of efficient and sympathetic administration.

We are, however, now concerned with a practical problem of intense complexity. It is therefore my purpose only to indicate the past in so far as the present has emerged out of the years of consolidation of an initial move, the consequences of which were not foreseen.

In 1931, for the first time in Kashmir's history, the voice of the people could be heard in public protest. To students of past centuries the year was a milestone on the long road of misery. But before we turn to politics and the dawn of representative institutions, a word may be of use about the system of land ownership on which so much of the economy and welfare of Kashmir depends, and which was the background to the peasants' exasperation in 1931.

In essence the land system in Kashmir was the same as that which pertains in so many countries east of Suez and which in one form or another has existed since the beginning of time. On the Indian sub-continent it was known as the *batai* system, the products of the land being equally divided between landlord and tenant. Its evolution came about as a process of nature from an ignorance and suspicion of cash transactions and the mysteries of keeping accounts. The land is owned by the

<sup>1</sup> For a vivid account of social conditions, the reader is referred to *Tyndale-Biscoe of Kashmir*, an autobiography (Seeley, Service & Co., Ltd.). Canon C. E. Tyndale-Biscoe was a well-known figure and reformer who, through the medium of his Mission School, managed in recent years to exert a cleansing influence in the morass of Kashmir public life.

landlord and the tenant is a share-cropper. He is allotted land which he tends and tills, trading his labour for a surrender of a half-share of the crops and the use of a pair of bullocks. He pays no cash rent, no lease-money and no water rates. But he is under one severe restriction, in that his tenancy is usually subject to a yearly agreement with his employer and can be terminated by either party at the end of the crop season. Despite its obvious anomalies, the *batai* system was by no means unacceptable to the peasant share-cropper. At the time of crop division both parties viewed each other's motives with some suspicion. Yet in India throughout the year relations were generally based on a mutual trust which withstood attempts to persuade the peasant that he was the miserable victim of exploitation. Nor was the status of the landless tenant-labourer necessarily to be despised. It offered a social status somewhere in between that of a peasant proprietor and a wage labourer which was not unattractive, while it also afforded the opportunity to indulge in some semi-independent farming. The system worked in the Punjab, where the great clan leaders themselves were but manifestations of the rugged Punjabi peasantry. Adjusted to the conditions of Kashmir and in the hands of men completely out of sympathy with the peasant it could quickly have degenerated into a tyranny.

Before the modern race for land reform, the land system in Kashmir had been based on a settlement patiently worked out by Sir Walter Lawrence<sup>1</sup> during the time of Pertab Singh. Village maps were prepared classifying land into two main categories, irrigated and unirrigated. Details down to every tree and water-cut were carefully inserted. All land being owned by the State, the actual holder had only the right of occupancy subject to dues being paid. At harvest time village *patwaris* inspected the fields, entered their records in the Register and passed them on to an assessing officer, who then assessed the average yield of each class of land. Lawrence's settlement took six years. Apart from his work representing a complete survey of the agricultural resources of the State, he introduced one fundamental change. For payment to the State in kind he substituted cash payment based on an assessed rate of the value of the crops. Simultaneously the State's share was reduced from 50 to 30 per cent. At first there was resistance. But when the peasant saw that cash payment lent itself far more readily to a check on the division of the crops he accepted it. Finally, the settlement was to last for fifteen years, thus ensuring that the peasant should know roughly where he stood over a period of time.

Such was the equitable system which proved unable to withstand the onslaught of landlords, assessment officers and lesser officials and which was recently replaced by sweeping reforms of a pattern usually associated with advanced socialism. I have described elsewhere the failure of the substitute system in its efforts to take all from the landlords and give to

<sup>1</sup> Sir Walter R. Lawrence, Bt., G.C.I.E. A vivid description of his work in Kashmir is in his *The India We Served* (Cassell, 1928).

the tenants.<sup>1</sup> Here we might only note the old lesson, that all systems are subject to the behaviour and manners of the men who manipulate them.

In 1931 the existing system was sufficiently out of hand as to form the focus for political agitation. At the same time the dawn of a political conscience, receiving its inspiration from events in India, represented the first seeds of the movement which was to witness the eclipse of the Dogra dynasty.

In 1930 a certain Sheikh Abdullah, returning to Srinagar from his studies at Aligarh University, started a movement to demand greater Moslem representation in the administration. By 1931 Abdullah was recognised as the first Kashmiri for many a day to have raised the standard of revolt against foreign domination. The Maharaja accordingly arrested him on 24th September 1931 and martial law was declared. Years later Sir Zafrullah Khan described these events to the Security Council with his irrepressible sense of the dramatic. "They [the Kashmiris] were mowed down by the bullets of the State Dogra troops in their uprising . . . but refused to turn back and received those bullets on their bared breasts."<sup>2</sup>

In the following year, 1932, Abdullah was released and promptly set about establishing the "All Jammu and Kashmir Moslem Conference", claiming to speak on behalf of the entire Moslem population of the State. By now matters had become too prominent to escape the notice of the authorities in India, and a Commission under Sir Bertrand Glancy was appointed to investigate the Moslem grievances.<sup>3</sup> Meanwhile in February 1932 British troops had been sent in to preserve law and order. Support from the Punjab, particularly from the Moslem Ahrar party,<sup>4</sup> was infiltrating in through Jammu, and the situation again rapidly deteriorated.

<sup>1</sup> The "Big Landed Estates Abolition Act, 1950," expropriated all land exceeding 22½ acres. One acre can be retained for residential use. The Government stated that they would pay compensation on a sliding scale, payment being made for three years, and being reduced to half the former revenue in the third year. In no case could compensation exceed Rs. 3,000 p.a. All declarations were subject to confirmation by a Committee of the Kashmir Constituent Assembly. The Committee subsequently recommended that no compensation should be paid, and this was confirmed by the Assembly. The principles of a further measure, the Tenants' Rights Bill, were announced by Sheikh Abdullah in Delhi in July 1951.

<sup>2</sup> *Security Council Official Records, Third Year, Nos. 1-15, p. 65* (Zafrullah Khan, 16th January 1948).

<sup>3</sup> The Commission, presided over by B. J. Glancy (Political Department of the Government of India), was composed of G. A. Ashai (Moslem) and Prem Nath Bazaz (Hindu) from the Kashmir Province, and Ghulam Abbas (Moslem) and L. N. Sharma (Hindu) from the Jammu Province.

<sup>4</sup> A Moslem group in sympathy with the Indian National Congress. In the 1930s the latter used it as a handle to counter the claims of the Moslem League. It opposed the establishment of Pakistan, and for a time went "underground". In 1953 it again came into prominence, particularly in connection with violent opposition to the Ahmadiyah movement.

In the spring of 1934 Chaudhri Ghulam Abbas, a colleague of Sheikh Abdullah who was later to become his violent opponent, attempted to organise a "civil disobedience" campaign of the pattern familiar in India. It came to nothing, but not before the Maharaja had been compelled to take action on the recommendations of the Glancy report. Accordingly, after a mild form of election, a State Assembly was at last set up. In an Assembly of seventy-five, thirty-five members were nominated and forty elected. Of the latter, twenty-one seats were reserved for Moslems, of which the new Moslem Conference captured sixteen, hardly a formidable figure in a total of seventy-five; and in any case of little effect in view of the fact that the Assembly had only advisory powers. The Constitutional Act which heralded in this first obscure instalment of democracy was given a Hindu date. Nevertheless the Moslem Conference held their ground, and in 1936, in a second election, increased their representation to nineteen seats. In the meanwhile certain tendencies were noticeable within the Moslem Conference which were to revolutionise its nature. Having initiated his movement for the protection of Moslem interests, Sheikh Abdullah soon came to appreciate the weakness of a political party based only on a communal grievance. Moslems were to be protected not necessarily because of their Moslem faith but because persecution of any community in any form was to be fought and overcome. Just as the Moslem Conference had received initial support from Moslem India, so now Abdullah was to be influenced by his Indian contacts in the step which he was contemplating. These were the circumstances in which he broke away from his colleagues to establish his own "All Jammu and Kashmir National Conference" in June 1939, a secular movement bent on effecting government of, for and by the people of Kashmir irrespective of religious associations. In the process he took with him several Moslems who were in sympathy with his advanced views and one or two Hindus who had crept into the Moslem Conference.

Abdullah was in fact one of that rare community of Moslems devoted to the service of the Indian National Congress. It was also in his capacity as President of the All-India States' Peoples' Congress that he was thrown into contact with Mr. Nehru and the Indian political leaders. The work enabled him to give expression to his dislike of the whole Indian Princely Order and his desire to help their subjects when and where he could. For these reasons without a doubt many features of the problem for the next seven years were simply explained by the fact of Nehru's own passionate interest as a Kashmiri Brahman in the home of his ancestors, his personal friendship with Sheikh Abdullah, and the latter's close association with the Indian National Congress. Nationalism, an interest in Left-wing Socialism and sincere secularism were the principles governing Abdullah's development. He was therefore always quite impervious to the appeal of the Moslem League, particularly as the League was never over-concerned with such matters as the relations of Princes

with their subjects. It was equally natural that the Moslem Conference came gradually to assume the aspect of an extension of the League in Kashmir. Whatever may have been the basis of Abdullah's personal relations with Mr. Nehru and other Congress leaders at this time, the friendships then formed proved insufficient to prevent the drift eighteen years later. Indeed, the story of Kashmir could be regarded as one of a sad process of friendships in disintegration. A Moslem Conference throws off Abdullah and his National Conference. The latter then appoints as its first President a certain Ghulam Mohammed Sadiq. In turn Sadiq, years later, is the first to lock up his old colleague Abdullah, having in the meanwhile himself turned to his own particular interpretation of Communism. And so the process goes on!

The point to note at this stage is that from 1939 onwards there were two political organisations in the State, both opposed to the Maharaja's Government, yet also in ambiguous opposition to each other. Years later, when the choice of accession or independence was an issue for the Maharaja's settlement, a sufficiently complicated political entanglement was further obscured by the fact that junior leaders in both these parties were quite conscious of their greater opportunities in an independent Kashmir, as compared with the status of subordination to either India or Pakistan. The National Conference in the war years was able to strengthen its hold on the vale of Srinagar. It welcomed Moslems, Sikhs and Hindus; but its secular appeal in its early days was based more on a common hatred of autocratic government than on any transcending sense of mutual brotherhood. Within the valley its membership was about 50 per cent. Moslem, the Moslem support fading into insignificance according to the distance from Srinagar.

With the advent of war Kashmir enjoyed a period which may be regarded as a political vacuum. In October 1939 a resolution was adopted as "The National Demand" which remained the background of future policy throughout the War. The terms were the setting up of an elected non-communal legislature entirely on a basis of adult suffrage with reserved seats for minorities. The Maharaja's general position and authority were not, however, challenged, and indeed the National Conference gained some valuable administrative experience in co-operating with the Maharaja's Government in the work of food and fuel distribution through popular Committees.

In 1943 Mohammed Ali Jinnah visited the State and presided over the annual meeting of the Moslem Conference. Thereby was confirmed the growing tendency for the two Kashmir parties to become but reflections of the great political rivals in India, the Congress and the Moslem League. Had determined efforts ever been made either by Mr. Jinnah or Abdullah to meet each other in some spirit of compromise, the two wings of political development in Kashmir might have stayed together.<sup>1</sup>

<sup>1</sup> See Chapter Three, pp. 46, 47.

But wise mediation was lacking and the gap widened. In these circumstances the stage was set for the post-war crisis not only of political but of physical division. However much leaders may dispute political problems, it is the delimitation of physical boundaries drawn on the ground as the result of their disputation which the peasant in his fields is able to recognise and for which he, more than others, must pay the penalty.



## CHAPTER THREE

### THE MAHARAJA'S CHOICE

WE have already noted the schism in the Moslem Conference and the break-away of Abdullah. There was subsequently to follow a curious situation of divided loyalties. Both the Moslem and National Conferences in 1946 were striving for recognition as the voice of the people, the former on a communal basis of Moslem representation, the latter as the forces of a national secular movement determined now to remove the Maharaja, not in his capacity as an alien Dogra ruler, but as a feudal anachronism. This was the background to Sheikh Abdullah's "Quit Kashmir" campaign. Simultaneously both parties were hoping to be recognised by the Government, and the Maharaja had in fact yielded to the extent of appointing two representatives of the National Conference to his Cabinet. No sooner was the "Quit Kashmir" campaign launched in March 1946 than one of the National Conference representatives, Mir Afzal Beg, resigned. Years later he was to join his leader in enforced exile. A month later Abdullah asked for trouble when he stated his case openly in a telegram to the Cabinet Mission which had arrived in Delhi from England to investigate the ways and means of parting with power.<sup>1</sup> The result was Abdullah's arrest with other members of the party on 20th May. For Abdullah imprisonment had become a matter of routine. But this time the sentence was a long one. Nor was an effort of Mr. Nehru on his behalf effective. Having entered Kashmir at Kohala, Nehru was held for a day or so and escorted back to the Indian frontier. Simultaneously Abdullah's misfortunes were regarded as the Moslem Conference's opportunity, and at a time when both parties should have combined to capture the Legislature in their common interests, Ghulam Abbas, the Moslem Conference leader, refrained from taking any steps in support of the "Quit Kashmir" movement, thereby in effect supporting the ruling Hindu dynasty to which he was bitterly opposed.

His co-operation, however, could hardly stand the strain of close relationship with the Maharaja and those who surrounded him; and in September 1946 the Moslem Conference members left the Legislative Assembly *en masse*. Thereupon Ghulam Abbas initiated a campaign of "Direct Action" on similar lines to that which the Moslem League

<sup>1</sup> "To-day the national demand of the people of Kashmir is not merely the establishment of responsible Government, but their right to absolute freedom from autocratic rule. The immensity of the wrong done to our people by the "Sale Deed" of 1846 can only be judged by looking into the actual living conditions of the people. It is the depth of our torment that has given strength to our protest."

was prosecuting in India. Nevertheless Abbas was astute enough to realise that Kashmir could never be free without the help of the Nationalists, and he therefore sought the means by which he could regain their co-operation. In this mood he actually appealed to the Maharaja on 16th September for Abdullah's release. The appeal failed and an obscure situation at least clarified into the isolation of the official Government, leaving the Maharaja now free to arrest Abbas and his followers on a charge of violation of the law prohibiting mass demonstrations.

Thus it was that Ghulam Abbas joined his former colleague Abdullah in prison. It seems that in their common misfortune they made some attempt to reconcile their differences.<sup>1</sup> It is a tragedy that they failed to do so. So far as the Maharaja was concerned, the close of 1946 had at least brought the physical containment of his political enemies. It was to prove but a passing advantage, and any British official could have told him so. For in India a chapter in history was drawing to its close and the fate of some 500 Princes hung in the balance.<sup>2</sup>

It will perhaps assist an understanding of Maharaja Sir Hari Singh's dilemma if I recall briefly the position of the Princely Order in 1946. For years this small community of privilege had been nursed into a sense of security utterly incompatible with the gathering tide of Indian independence. The pattern for the future was indicated in a memorandum addressed to the Princes by the Cabinet Mission on 12th May 1946. In this it was made clear that the British Government could no longer exercise the ambiguous function known as "paramountcy" after British authority had withdrawn.<sup>3</sup> It was tactfully suggested that the States, so far from seeking to hinder developments in British India, would wish to contribute to the making of a new constitutional structure. Though the Cabinet Mission's constitutional recommendations were not subsequently adopted, in so far as the Princes were concerned their definition of the position was accepted, and developed as the basis of settlement.

There followed the mingled process of coercion and persuasion by which the States signed their various instruments with the Indian Union under the impression that, as stated by the Cabinet Mission, the commitment was for Union control only of defence, communications and

<sup>1</sup> "Sheikh Abdullah told me much later (in September 1948) about his many night-long conversations with Abbas in prison and how together they contemplated reconciliation and resumption of the common struggle. Ghulam Abbas had told me the same story one month before in Kashmir. Both leaders recounted these conversations with feelings of sadness and nostalgia. They seemed to share the belief that the split in 1939 had been the beginning of all their troubles." *Danger in Kashmir*, Joseph Korb, p. 23.

<sup>2</sup> The former India of the Princes comprised 584 States with a total of 99 million subjects covering 45 per cent. of the surface of the sub-continent.

<sup>3</sup> "His Majesty's Government will cease to exercise the powers of paramountcy. This means that the rights of the States which flow from their relationship to the Crown will no longer exist and that all the rights surrendered by the States to the paramount power will return to the States." Cmd. Paper 6855.

foreign relations. The subsequent development by which they were completely absorbed into the administrative machine can most tactfully be referred to as an inevitable recognition of the realities of a difficult situation. Technically there was nothing to prevent a State from remaining in aloof isolation as an island of sovereign autocracy in the midst of a republican sea. Nor was there any statutory limitation on a State in the middle of India to prevent it from acceding to Pakistan! But it was clear that India could, without force, have reduced its administration to a farce. In return, if the States had chosen to stand together and insist collectively on their independent status, they could seriously have restricted the economic life and development of India.

A glance at the map will reveal that Kashmir, by virtue of her geographical situation and size, was the one State to which the above considerations did not necessarily apply, and which could therefore conceivably afford to adopt an original approach in the determination of its future status. Unlike the great State of Hyderabad, which was surrounded by Indian territory, it stood in isolation, with Pakistani, Indian and international frontiers. A British dispensation in India had been unable to hand over paramountcy to a successor government or governments, and in the event of a State not having declared its accession previous to partition certain "interim arrangements" would be necessary with those in control in India for the continuation of the *status quo*. These were the "standstill agreements" which in the case of Kashmir were subsequently to be the focus for much controversy. But a legitimate conclusion is that had there been in Kashmir in 1947 a ruler entrenched in the affections of his people with an effective undivided representative government based on popular support, a bid for independence might well have been successful. From the constitutional point of view there would have been nothing to prevent it. If either India or Pakistan had then forced the issue of accession, Kashmir would have been fully within her rights in an appeal to the United Nations. We will leave hypothetical situations and return to the story. My object has been to indicate that in other circumstances an imaginative Maharaja could well have been forgiven for contemplating complete independence.

Early in 1947 the Maharaja invited Lord Mountbatten to visit his State, but it was not until the third week in June that the latter could accept the invitation. He found his host in a defensive mood, unable to face up to the great problems which sooner or later would inevitably present themselves. Attractive as the temptations of isolated independence were, it was clear that he would receive the worst of both worlds. Pakistan would be plotting to remove the Hindu dynasty from continuing to rule a Mohammedan people, while the Indian Government, through Sheikh Abdullah, would be seeking his downfall as an enemy of their own neighbouring progressive democracy. And yet, in view of the position of his State—for which there was no precedent in Princely India—his hesitation merits sympathy. His apology would be that

the consequences of a hasty step might prove disastrous, and that his particular problem needed further reflection in the light of experience elsewhere in the India of the Princes. In this there was much truth.

The Maharaja and those around him had always feared encroachment and interference from outside. The mere fact that Kashmir had for many years been accessible to Europeans in a manner which did not apply to other States in India, led the Kashmir Government into a mentality of suspicion of foreign intentions, an outlook which persisted after 15th August 1947, and which was applied equally to Pakistan and India. This jealous concern for their own independence had been reflected for years past in the rigid application of stringent "State subject" laws. Against this background throughout the summer and autumn of 1947 the Maharaja and his Government had to watch events in the neighbouring Punjab which in no way encouraged accession either to India or Pakistan. Refugees in thousands were pouring across the border into Jammu Province, and a State administration quite inadequate to handle the situation was struggling to arrest the flow and keep the State immune from the consuming communal fires of India. It was in defiant reaction to these more worthy motives that a State policy of persecution of Moslems in certain areas came to be applied. To this I will draw attention later; but in justice to the Maharaja it is fair to believe that for a time his will to independence was not uninfluenced by a desire to save his State from being drawn into the slaughter. It should be recalled that the throne of Kashmir had for four generations rested on the firm support of its Dogra Rajput subjects. In existing conditions in the Punjab an open accession to Pakistan might well have resulted in the massacre and expulsion from the State of its Hindu and Sikh inhabitants. Alternatively, an accession to India meant the signature of the Maharaja's death-warrant so far as his own power was concerned; and so it came about that for a while he and his Prime Minister, Rai Bahadur Ram Chandra Kak, strove for their dream of independence. To the natural and human reactions which sought to retain power were added the more subtle persuasions of the occult, and prophecies of a renascence of Rajput power in India under Kashmir leadership were whispered around. In particular, Her Highness of Kashmir listened attentively to the extravagant imagination of her Swami.

Maharaja Sir Hari Singh is a man of intelligence, as many who served in the State will testify. But in his blind refusal to face reality he was his own enemy. With his State in suppressed turmoil, with his scattered State forces dealing with revolt in Poonch and refugees in Jammu, he yet would not see that he had neither the political support nor the physical means to sustain his country in isolation. The treaty which for nearly a century had governed Kashmir's relations with the Crown stipulated that the latter would accept responsibility for protection from external aggression, while the State should maintain such forces as were sufficient

only for the preservation of internal security.<sup>1</sup> In successive agreements under the treaty all details of strength, composition and armament were decided, arms and ammunition being obtained on payment from the Government of India. With paramountcy about to lapse, support from British India under the terms of the treaty was not forthcoming. A force of one horsed cavalry regiment and nine battalions of infantry was therefore called on at short notice to deal with internal chaos and external aggression far beyond its normal commitment, a situation which the Kashmir Government might be forgiven for regarding as deriving from a simple and unilateral abrogation of a treaty.

No one could better appreciate the Maharaja's skill at evasion than his military commander, Brigadier H. L. Scott,<sup>2</sup> who persistently sought to drive home the practical impossibility of the Kashmir army meeting the many demands on its services in sustaining the Maharaja and his Government. Written appreciations and memoranda would either be returned or filed unread. Definite appointments to discuss the military situation would prove to be gatherings of courtiers and visitors, with servants standing around in open durbar. Such was the background to those difficult conversations conducted on long motor rides, in which Mountbatten now urged the Maharaja to abandon the concept of independence and discover the will of his people. Furthermore, he assured him that the newly created States Department under Vallabhai Patel on behalf of the Government of India would not regard a verdict in favour of Pakistan as an unfriendly act. This is extremely important, since the story has frequently been misinterpreted, and we have been asked to believe that Mountbatten and his Government had exercised some kind of previous influence to produce the Maharaja's accession to India.<sup>3</sup> That Mr. Gandhi and Acharya Kripalani would have advocated the Indian case on their visit to Kashmir in the summer is obvious. But that the terms and details of a plot were ever elaborated is, in my belief, a play of the imagination. Alan Campbell Johnson<sup>4</sup> describes how Mountbatten, having previously prepared the Maharaja's mind for the need for a quick decision, then hoped to confirm the latter's general consent in an open discussion with Pandit Kak, George Abell<sup>5</sup> and the British Resident. The Maharaja, however, at the last minute suffered a con-

<sup>1</sup> See Appendix I: Treaty of Amritsar, 1846; Article 9.

<sup>2</sup> Brigadier Sir Henry Scott, C.B., D.S.O., M.C., formerly of the 1st Battalion P.W.O. Gurkha Rifles, Chief of Staff, Kashmir State Forces, 1936-47.

<sup>3</sup> "... Had he acceded to Pakistan before 14 August 1947, the future Government of India had allowed me to give His Highness an assurance that no objection whatever would be raised by them. . . . The only trouble that could have been raised was by non-accession to either side and this was unfortunately the very course followed by the Maharaja." Lord Mountbatten: Address to the East India Association, 29 June 1948.

<sup>4</sup> *Mission with Mountbatten*, A. Campbell Johnson, Ch. 10, p. 120. (Robert Hale, 1953.)

<sup>5</sup> Sir George Abell, K.C.I.E., O.B.E., Private Secretary to both Lord Wavell and Lord Mountbatten. Director, Bank of England, since 1952.

venient attack of colic. Later, Lord Ismay on sick leave in Kashmir had hoped to add the weight of his balanced advice, being prepared to advance the claims of Pakistan equally with those of India. He, too, discovered the Maharaja's artistry in avoiding unpleasant discussions; for whenever the conversation looked like approaching politics the Maharaja conveniently diverted it to reminiscences of polo!

In contrast to the objective approach of the Viceroy, the visits of Mr. Gandhi and certain Indian Princes to Srinagar were bound to create suspicion in the minds of those who assumed that Kashmir would, in the logic of geography and religious association, eventually throw in her lot with Pakistan.<sup>1</sup>

Gandhi reached Srinagar on 1st August, leaving it on the morning of 4th August for Jammu, where he halted one night, proceeding on to see a refugee camp at Wah in the northern Punjab. So far as his public pronouncements were concerned, he limited himself to correct and provokingly vague moralisations. It was the fact of his visit rather than the significance of what he said which was inevitably to confuse the situation. It appears that this was his first and only acquaintance with Kashmir. The advice he left behind amounted to a non-committal advocacy of a plebiscite as soon as possible. It could be summarised as follows: He had not come to Kashmir on a political mission and had no intention of asking for Sheikh Abdullah's release. On the contrary, as a true *satyagrahi*, Abdullah, by remaining in jail, might well achieve his object. The people should not rely on the leadership of one man: they should learn to stand on their own feet.

On 5th August, at a prayer gathering at Wah, he elaborated his attitude. He had held prayer meetings in Kashmir which had been attended by thousands. He had spent much time in the company of Begum Abdullah<sup>2</sup> and had had talks with the Maharaja and his Prime Minister, Mr. Kak. Though the State had a predominantly Moslem population, he had noted that Sheikh Abdullah had fired the people with local patriotism. So far as he could judge, the Kashmiris were one people, enjoying one culture and one language. He could not readily distinguish between a Kashmiri Hindu and a Kashmiri Moslem.

Later, when the tribal invasion of Kashmir had precipitated a grave crisis, he allowed himself a more detailed comment.

"The partition of Kashmir was unthinkable. The partition of India was bad enough. Why extend the process to the States? Let the representatives of the Indian Union and the future Pakistan sit down at a table and thrash the matter out. Let them first repent for past lapses."

<sup>1</sup> Korbelt records that previous to partition the Maharajas of Patiala and Kapurthala, the Raja of Faridkot and Acharya Kripalani (President of the I.N.C.) all visited Kashmir. (*Danger in Kashmir*, p. 59.)

<sup>2</sup> The views of Begum Abdullah are generally regarded as in favour of Pakistan.

As to the tribal invasion, the people should not flee. They should learn to be brave and fearless and lay down their lives in defence of their homes. He would not mind if they died at their posts. He regretted very much that the tribesmen were apparently led by former officers of the I.N.A.,<sup>1</sup> which had valiantly fought under the able leadership of the late Shri Subhas Bhowse. He deplored the encouragement they had given to the tribesmen in looting and burning villages and murdering innocent men and women. If he was in their place he would wean the tribesmen from their error! They could meet Sheikh Abdullah, if they thought he was harming either Islam or India. He reiterated his belief that, the Princes being the creation of British imperialism and the British having quitted India, the people in the States were now their own masters, and the Kashmiris must therefore decide, *without any coercion or show of it from within or without*, to which Dominion it should belong. The rule was of universal application.<sup>2</sup>

Mr. Gandhi's judgment might have commanded greater respect had he had the chance to study the conditions which in past years had created a gulf between the caste of Hindu pandits and the people. It is true that Abdullah was working for the elimination of distinction between Hindu and Moslem. The fact is that in 1947 he could not possibly have succeeded, and it was all too easy to distinguish between the two communities. The further reflection, that Abdullah and the tribesmen should later have got together, revealed Gandhi's complete ignorance of Pathan mentality and the realities of the North-West Frontier. Yet these rather confused sentiments reveal one interesting aspect of the Mahatma's approach, of wider application than Kashmir. I have often wondered what his contribution would have been to the conflict of ideology which has come to divide the world. If his advice to the Kashmiris is in any way a guide, it would surely indicate a far firmer condemnation of totalitarian oppression than is generally attributed to the apostle of non-violence. To approve of death at one's post in defence of a cause suggests that there would have been approval of resistance to tyranny in any form—and I cannot believe that Gandhi would not have recognised tyranny however subtly disguised it may be by experts in Moscow or Peking. In so far as the Moscow technique is now borrowed in Kashmir, would it not have received the unqualified condemnation of the Mahatma?

On 25th October 1947, when the world heard of the tribal invasion, *The Times* commented "... indications are that the Hindu Maharaja of Kashmir, Sir Hari Singh, has lately been much influenced by representations made by Mr. Gandhi who visited Kashmir three months ago and by other Congress Leaders". If *The Times* could draw this deduction,

<sup>1</sup> The Indian National Army. Raised from Indian prisoners of war under Japanese patronage for operations against our armed forces in Burma, often by the most barbarous methods of coercion.

<sup>2</sup> This account of Mahatma Gandhi's views is taken from Volume 8 of a work—*Mahatma*—on a vast scale, prepared by D. G. Temdulkar, and published by the author and Vitalbhai Jhaverai (January 1954).

the Pakistanis would have been only human in interpreting the visit as a move in the Indian plot to take Kashmir. They would not unnaturally have discredited any assurances of Lord Mountbatten's impartiality. For myself, I have concluded that the visit of Gandhi did not merit the label of a plot. It was an event from which certain obvious results would flow, results which would be welcome to India, and for which again, not unnaturally, India would not forgo her profit.

Throughout July and on into August, with the time limit for accession running out, the Maharaja remained in indecision. Finally, three days before the transfer of power, the Kashmir Government announced its intention of signing a standstill agreement with both Pakistan and India.<sup>1</sup> Simultaneous telegrams were sent by the Chief Minister, Janak Singh, to both India and Pakistan. Pakistan immediately accepted, the Indian reply being non-committal.

Pakistanis have, I think, been apt to exaggerate the significance of the standstill agreement. The agreement was in the nature of a device which any Prince could sign with one or other of the Dominions in order to ensure that, in cases where the ruler needed more time to make up his mind, the normal postal and telegraphic services and economic understandings which hitherto British India had provided, should continue. It was on this basis that Pakistan continued to operate the small stretch of railway within Kashmir territory which formed a portion of the link between Sialkot and Jammu. In fact no formal agreement was ever signed, and the *status quo* was confirmed only by telegram. Nor at that stage could the need for a formal document have been anticipated, since on 15th August Pakistan did not foresee the subsequent chaos which resulted from a tribal invasion. A telegraphic agreement was therefore regarded by Pakistan as sufficient to ensure that she stepped into the shoes of the former Government of India in its relations with the State before partition.

India's attitude to a standstill agreement was less certain. She had been represented as unwilling, and certainly no agreement was signed. Yet, after some research, my conclusion was that had not the circumstances arisen to precipitate her war with the tribesmen, an agreement might have been concluded.

We had, in fact, to wait five years for any explanation of the Indian attitude. It was Sheikh Abdullah who then informed the Kashmir Assembly that India's decision to refrain from signing an agreement had been governed by the contention that such an agreement entered into by the Government of the State could not be considered as valid until it had the approval of the people's representatives.<sup>2</sup> If this is correct, it would seem that the Maharaja's word was not to be accepted when a standstill

<sup>1</sup> The announcement was made on 12th August. The telegraphic understanding with Pakistan was negotiated on 14th August.

<sup>2</sup> Sheikh Abdullah's address to the Jammu and Kashmir Constituent Assembly, Srinagar, 5th November 1951.



agreement was involved, yet just over two months later was welcome when it was a matter of a convenient accession!

Whatever India's motive, the fact of an understanding with Pakistan has been quoted as a reason for encouraging Pakistanis to believe that the full accession would follow. For the moment Pakistan's obligations to Kashmir were confined to communications, supplies, and postal and telegraphic arrangements. The further responsibilities of defence and foreign relations which were the commitments involved in a complete Instrument of Accession would be added later. To this reasonable assumption is added the less convincing charge that India's failure to sign was but another indication of the great deceit. It is, I think, an argument too tortuous to accept; for it could equally well be held that a ruler in hesitation would wish for a standstill agreement only with the side of his eventual choice.

In these critical days before and after partition the objective seeker of truth is impressed with the apparent absence of any higher-level attempt at negotiation with Kashmir on the part of the Pakistan Government. Had there been merely a negative absence of inquiry as to the Maharaja's intention, it could have been regarded as a constitutional and correct attitude in a refusal to exert pressure. But in fact evidence is to the effect that in so far as a Pakistan Government then existed, it was attempting to force the Maharaja's hand by economic pressures on the State, which could only have the effect of damaging her own interests. Chaotic conditions in both India and Pakistan had in any case killed the Kashmir timber trade, and to this was now added an embargo on the sale of Kashmir produce in Pakistan which drove the State well-nigh to bankruptcy. This not very imaginative policy was being pursued at a time when the Prime Minister, Pandit Kak, while fostering independence, was certainly closer to Pakistan than to India in an identity of broad policy. My information is to the effect that on or about 19th July Pandit Kak had a meeting with Mr. Jinnah in Delhi, and it is clear that, had he remained, events might have followed a different course. Like the Nehrus, the Kaks were Kashmiri Brahmans, but an old family rivalry had much to do with sharpening the edge of political relations between the Maharaja's Government and India. With Pandit Kak's dismissal the chances of an understanding between the Kashmir of the Maharaja and Pakistan receded. Shortly after the new Prime Minister took office, Mr. Jinnah asked permission to come to Kashmir for a holiday. The request was refused, and with it probably the first and last chance of accession to Pakistan disappeared, never to return. Some correspondence appears to have taken place between Mr. Jinnah and Sheikh Abdullah, but pride prevented both from making the first move towards a personal conversation.

With Mr. Jinnah, the approach was governed by the strictly constitutional attitude, that it was for the ruler, and the ruler alone, to decide. This had been the Pakistan contention in the cases of Hyderabad and

Junagadh, and it would have been inconvenient to have treated Kashmir as an exception. So certain was Jinnah in the infallibility of his approach that Chaudhri Ghulam Abbas, his declared supporter and leader of the Kashmir Moslem Conference, was not consulted. These considerations would be reinforced by the fact that Abdullah was an associate of the hated Indian Congress and, as such, was in any case subject to deep suspicion. This was not the beginning of the story. Previously, in March 1944, when the Kashmir National and Moslem Conferences were in conflict, the National Conference suddenly decided to ask Mr. Jinnah to arbitrate. The Moslem Conference agreed, and leaders of both parties visited him in Delhi and Lahore, with the result that on 6th May Mr. Jinnah informed Chaudhri Ghulam Abbas of his intention to come to Kashmir. He accordingly arrived in Srinagar on 10th May. From the Banihal Pass onwards his progress was marked by the extraordinary spectacle of supporters of the two rival Kashmiri parties competing with each other in the warmth of their welcome, with the result that an otherwise triumphal entry was marred by several fierce brawls and some sore heads. Immediately after arrival Jinnah addressed two meetings in Srinagar. At the former, Abdullah greeted him as "the beloved leader of the Moslems of India". Jinnah in reply politely acknowledged the reference but was careful to note that they were honouring him as President of the Moslem League, under whose banner all Moslems of India were organised. To the Moslem Conference he was more direct. "If your objective is one then your voice will be one. I am a Moslem, and all my sympathies are for the Moslem cause."

Jinnah stayed in Kashmir over two months, finally leaving on 24th July. At midnight on 17th June he gave his verdict. Prem Nath Bazaz, who had two long interviews with him, was of the opinion that the length of the Srinagar holiday was due to a desire to give the appearance of serious deliberation. In fact the verdict delivered could equally well have been given in Delhi or Lahore, and saved all concerned a lot of tension and trouble. His advice to the two parties was to unite "around one platform, one organisation and one banner. . . . 99 per cent. of the Moslems who met me are of the opinion that the Moslem Conference alone is the representative organ of the State Moslems".

Mr. Jinnah's figure was certainly not accurate, so that Abdullah's rage was all the more marked. He had asked for arbitration, and he now had to escape from his commitment. He could only fall back on violent abuse; which may well have set the seal on the nature of his future relations with Mr. Jinnah. Before leaving on 24th July, Jinnah issued a final statement which in its reference to the general conditions in Kashmir is interesting, in view of his strictly constitutional approach to Maharajas and their status.

"As I said at the moment I reached Jammu, it is not the policy of the Muslim League to interfere with the internal administration of

this State or the grave and serious issues that face the Maharaja and his Government, as between him and his people, but we are certainly very deeply concerned with the welfare of Moslems in the State, and I must say that even a casual visitor cannot but be shocked to see the condition of the people in this State, even in matters of their elementary needs and necessities. Sir B. N. Rao has just taken charge as the Prime Minister of the State, and now the people are looking up to him and expecting that he will take effective measures for their betterment. . . .”

Of tremendous importance were Jinnah's following remarks, which, we shall see, the Maharaja and his Government ignored at their own peril :

“As regards the Moslems, as I said, we are vitally concerned with their welfare, but I regret that although Sheikh Abdullah and his party and the Muslim Conference discussed matters with me in Delhi and in Lahore before my arrival here, and were good enough to accord me a great reception, and were anxious that I should hear both sides and bring about a settlement, when I, after careful consideration, suggested that Moslems should organise themselves under one flag and on one platform, not only my advice was not acceptable to Sheikh Abdullah but, as is his habit, which has become second nature with him, he indulged in all sorts of language of a most offensive and vituperative character in attacking me. My advice to Moslems is that differences can only be resolved by argument, discussion, exchange of views, and reason, and not by 'goondaism'. One thing that I must draw the attention of the Kashmir Government about is that goondaism must be put down at any cost, and there should be constitutional liberty of speech and freedom of thought, which is the elementary right of every citizen under any civilised form of government.”

I have reproduced the extract as quoted in *The History of the Struggle for Freedom in Kashmir*, since for so long little was known of the Quaid-i-Azam's part in the controversy. Had he lived into the subsequent years it is probable that the mutual contempt between himself and Abdullah would at least have softened. Beyond that, it is of little profit to guess.

As to the alleged economic blockade of Kashmir by Pakistan, it is difficult to establish the pursuit of an official policy, and the charge was probably the result of individual action. In October Liaquat Ali Khan appeared to realise the situation, and a telegram was sent on 30th October to the Indian Prime Minister to the following effect.

“On October 2nd I suggested that both Pakistan and Kashmir should appoint representatives to discuss supplies for Kashmir. . . . When in spite of this we sent Shah<sup>1</sup> the Prime Minister [Mahajan, of Kashmir] refused to discuss with him.”

<sup>1</sup> Colonel Shah, Joint Secretary, Ministry of Foreign Affairs and State of Kashmir.

Just over the Jhelum River where it bounds the District of Rawalpindi was the tiny State of Poonch, a principality within Kashmir, constituting in itself a secondary similar problem. The Hindu Raja of Poonch owed his allegiance to the Maharaja of Kashmir. Yet his subjects were Moslems. In the spring of 1947 the Moslems in Poonch rebelled against the extension of Kashmir taxation to their small territory. It appears that Poonchis returning from Indian Army service after the war discovered that the Raja of Poonch had been dispossessed of his rights of land ownership by a law-suit, and that the Maharaja of Kashmir consequently levelled direct and crippling taxation on them and their homes. These were not the men to lie down under a hated oppression and they rose to the occasion. Kashmir State troops were accordingly despatched to bring them to submission. But the Moslems in the State Forces deserted, and thereafter Poonch became a secure base for the movement known as "Azad Kashmir", to establish an independent Kashmir government under one Sardar Mohammed Ibrahim. Ibrahim was a citizen of Rawalkot in Poonch, a country which supplied some of the finest fighting-stock of the old Indian Army. These were the men who, returning from a world war, now rallied to a cause which, in the face of the military Dogra dictatorship in their midst, rapidly assumed the nature of a fierce faith. Subsequently I shall draw attention to their obvious limitations. But against their defects their physical toughness and intimate knowledge of the country were certainly assets of nuisance value, if not of real military significance. The Azad Government were thus quickly able to raise their own forces, and could soon muster some 30,000 villagers from Poonch and Mirpur.<sup>1</sup> It should be realised that the Azad forces were a body of men quite distinct from the more loosely organised tribesmen. While the latter were seeking to avenge the slaughter of Moslems from whom they were geographically separated, the former were men suffering from a very real sense of personal grievance and claimed never to have been defeated, in spite of some indiscriminate bombing of their villages. As we shall see, their claims were hardly compatible with the results achieved.

In August an anti-Moslem movement within the State was initiated with all the appearance of a systematic persecution. In 1955 I was able to trace some of the measures which were taken at the time. While the object may have been to afford the Hindu population facilities to protect themselves if attacked, the effect was such as to place Moslems at their mercy. Before partition about 7,000 old muzzle-loader rifles from

<sup>1</sup> The British and Indian Press reported these forces as being commanded by a certain "General Tariq". The name was borrowed from the identity of a famous Moslem leader of the days of the Moorish conquest of Spain, but was assumed by Brigadier Akbar Khan who was given general responsibility for guerrilla warfare and who was to be involved later in the formidable conspiracy case against the Pakistan Government. In addition to assuming imaginary names, the invention of fictitious formations by both sides played a part in the war of deception which was carried on with some good humour.

Ferozepore Arsenal were unearthed and made serviceable. These with gunpowder made in Jammu were stored in the ancient forts around the city. They were subsequently distributed exclusively to the Hindu population in the Jammu Province. The trouble started on 26th August at Bagh in Poonch, when Moslems were set on and killed by the State troops for contravening orders which had forbidden the celebration of "Pakistan Day" on 15th August. On 4th February 1948 the *Statesman* (Calcutta) carried the following account by an Englishman close to the scene of revolt.<sup>1</sup>

"Early in August as the partition of India drew near, there were many meetings and demonstrations in Poonch in favour of Kashmir joining Pakistan. Martial law was introduced and meetings fired on. After one such incident on 27th August in Nila Bat, Abdul Qayyam, a young zemindar, started the revolt with a few friends. Substantial men told me that they would never have joined such a rash enterprise but for the folly of the Dogras who burnt whole villages where only a single family was involved in revolt. Rapidly most of the Moslem ex-servicemen joined Qayyam and in six weeks the whole district except for Poonch city itself was in rebel hands."

In contrast to the reluctance of leaders to meet each other, in October there was an acrimonious exchange of telegrams and letters. By the middle of October the Poonch revolt was very naturally receiving unofficial support from their friends in Pakistan, from which they were separated only by the River Jhelum. Arms were almost certainly passing over the river. On 15th October the Maharaja wired to Karachi suggesting an impartial enquiry, adding this rather ominous warning:

"... If, unfortunately, this request is not heeded the Government much against its wishes will have no option but to ask for assistance to withstand the aggressive and unfriendly actions of the Pakistan people along our border. . . ."

There was only one quarter from which assistance could come, and the Pakistan Government took a grave view of the veiled threat accompanying the proposal. Nevertheless they replied nominating a representative for a meeting. On 18th October the Maharaja again wired repeating the threat to invoke outside help, but omitting the proposal for a committee of inquiry. The Governor-General of Pakistan answered with a strong protest:

"... the threat to enlist outside assistance shows clearly that the real aim of your Government's policy is to seek an opportunity to join the Indian Dominion, as a *coup d'état*, by securing the intervention and assistance of that Dominion. This policy is naturally

<sup>1</sup> Richard Symonds, on relief work with a group of Quakers in the North Punjab.

creating deep resentment and grave apprehension among your subjects, 85 per cent. of whom are Moslems. The proposal made by my Government for a meeting with your accredited representative is now an urgent necessity. . . .”<sup>1</sup>

There followed an invitation for Kashmir's Prime Minister to come to Karachi and a repetition of the proposal for an impartial inquiry. Yet nothing happened. Had the Maharaja's Government sent a delegation, whatever its representative character might or might not have been, an inquiry would have been under way at a time when the frontier tribes were preparing to enter Kashmir. In such circumstances it is difficult to see how the Pakistan Government could have refrained from taking steps to have controlled or limited tribal action. It seems that a chance was lost.

The rot continued and increased in tempo with the infiltration of members of the R.S.S.S., Akali Sikhs and the I.N.A. into Jammu Province throughout October. Finally it culminated with the massacre of two crowded convoys of Moslem evacuees who had been promised a safe conduct to Pakistan. On 5th and 6th November the convoys drew up at a village on the Jammu-Kathua road, and were set on by armed bands, their Sikh escorts joining in the slaughter. The overall result of resort to jungle morality was to cause some 500,000 Moslems to flee from their homes, about 400,000 seeking shelter in Azad territory and at least another 100,000 dribbling over into Pakistan. It is hardly surprising that the Moslem Kashmiris accumulating in the western extremities of the State came to think of the fight as for nothing less than survival. The motives of the Kashmir State Government in prosecuting so disgraceful a campaign of persecution are not difficult to divine. A systematic modification of the population in favour of the non-Moslem elements would obviously achieve popular support for an extension of their own precarious term of office. Secondly, it was an old device offering a cheap and easy diversion, to beat up a little communal hatred when things went wrong. A ruler could always obtain a new lease of life simply by fanning the flames. While the State bureaucracy were thus recklessly abandoned in an orgy of slaughter, the obvious legacy of these crimes had taken seed in the distant frontier districts beyond the Indus.

<sup>1</sup> See J. Korbél, *Danger in Kashmir*, pp. 68, 69.

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## CHAPTER FOUR

### THE TRIBAL INVASION

FOR those unacquainted with the status of the tribes on the North-West Frontier of Pakistan it may be helpful if I recall the conditions. A glance at a political map of Pakistan will reveal that the North-West Frontier Province divides into an eastern area of settled districts bounded on the east by the River Indus, and a mountainous western area of semi-controlled country adjoining the Afghan frontier. This was the "no-man's land" which for years embarrassed the Government of India, a firm decision never being taken either to go forward to the Durand Line<sup>1</sup> and take over the country, or stay out and hold a line along the foothills with sufficient determination to prevent the tribesmen raiding into British India. The compromise policy of "tip-and-run" cost us countless small wars and the loss of good lives, supplemented by a system of allowances to the tribes for good behaviour which may have amounted to handing over £1,000,000 a year.<sup>2</sup> The tribesmen of the frontier are not unlike their brethren in other parts of the world situated controversially in between two sovereign independent States. Indeed, the situation of Pakistan and Afghanistan in relation to Mahsuds, Wazirs, and Afridis has many analogies to the awkward relations between the Aden Protectorate and the Yemen, where both court the friendship of Arab sheikhdoms along their mutual frontier. The Pakistanis have handled their frontier problem with considerable success. But in 1947 they may well have been grateful for some kind of outlet for the savage exuberance of the tribesmen at a time when they had in no way been able effectively to take over the frontier posts and garrisons which the old Indian Army had abandoned. In fact the tribesmen who made for Kashmir were but a handful as compared with the forces which they could have mustered, and in place of 200,000 men only 2,000 set out on their stupid, thoughtless adventure.

The Indian Government received no hint of impending events. On the evening of 24th October rumours of tribal movements were circulating in Delhi, and on 25th October, at a meeting of the Defence Committee<sup>3</sup> General Lockhart read out a telegram from Headquarters, Pakistan Army, giving the first official news. Later, in September 1948,

<sup>1</sup> The frontier between India and Afghanistan demarcated in 1893 by the late Sir Mortimer Durand.

<sup>2</sup> The assumption which has been made, that these allowances were surreptitiously handed out in secrecy, is not correct. The system was open and acknowledged.

<sup>3</sup> This was a Committee of the Indian Government, not to be confused with the Inter-Dominion Joint Defence Council.

when the Government of India were holding an inquiry, a certain amount of comment was directed to a private letter the Governor of the Frontier Province<sup>1</sup> had written to General Lockhart towards the end of October 1947. General Bucher,<sup>2</sup> in evidence before the United Nations' Commission for India and Pakistan, quoted this letter, and in one way or another it found its way into the Indian Press. One newspaper spoke of "vipers under Nehru's pillow", and there appeared to be a cheap campaign to discredit British officers and their loyalties to the two Governments. In fact, the letter quoted had never mentioned Kashmir.

On the frontier Sir George Cunningham was engaged in making desperate efforts to dissuade Mohmand Maliks and others from entering Kashmir. But the seed had been sown, and control at that stage was out of the question. This was not surprising in view of the absence of any formed units of the Pakistan Army at the time. It would take long days of research on the spot to determine the degree to which the initial advance of the border tribes was made with the forewarned knowledge of the Pakistan Government. Senior British officers in Pakistan at the time believed that Mr. Jinnah at least was honestly and completely taken by surprise. Another view is expressed that he vaguely heard of the intention and immediately satisfied his conscience by a refusal to ask further questions. Whatever the truth, the many censures on his attitude at this period have been grossly exaggerated. Nevertheless, officers of the Pakistan Forces sensed what was afoot, for I have their own testimony. The tribes had let it be known that whatever attitude the Pakistan Government took, they would not be deterred from moving to the assistance of their brothers in distress. The earliest contacts between Kashmir and the tribes must almost certainly have taken place in August, when ex-servicemen in western Poonch began collecting money to buy arms and ammunition from the Frontier Province factories in tribal territory. At that time the State troops had established a blockade along the southern border, destroying the Jhelum River ferries and placing pickets on the bridges. A few of Ibrahim's men, however, managed to cross the Jhelum in rafts and were able to make for the frontier and purchase arms and ammunition with hard cash. It is reasonable to believe that the plans for tribal action were initiated in these first contacts. The fact that the tribesmen carried a certain amount of equipment and arms which could not have come from the limited means of the tribal factories was proof of a leakage from Pakistan's regular forces. Writing in *Halfway to Freedom*, Margaret Bourke-White states that the difficulty of official support was overcome by passing arms through local Moslem

<sup>1</sup> Sir George Cunningham, G.C.I.E., K.C.S.I., a former Secretary to the Viceroy (Lord Irwin). Rector of St. Andrew's University since 1946.

<sup>2</sup> General Sir Rob Lockhart, K.C.B., C.I.E., M.C., Commander-in-Chief, India, 15th August to 31st December 1947. General Sir F. R. R. Bucher, K.B.E., C.B., M.C., Commander-in-Chief, India, 1st January 1948 to 15th January 1949.



League offices in Pakistan towns. The status of the League being that of a political party, this would be an obvious but hardly scrupulous method of achieving the object.

There are many other bits and pieces of evidence to support the view that Pakistan's assistance was substantial. There is the testimony of an American, Russel K. Haight, who served in the Azad Kashmir forces for a few weeks and who subsequently gave an interview to Robert Trumbull of the *New York Times*, in which he spoke of petrol, ammunition, food and camp administrative services being supplied through the simple process of official "loss". There is also the doubt surrounding the administration of a "Kashmir Fund" by the Nawab of Mamdot of which the public were not to know until the summer of 1950.

It has to be confessed that the assumption of Pakistan's duplicity is in contradiction to the Pakistan Prime Minister's denial. As we shall note, much correspondence passed between Nehru and Liaquat Ali Khan which was subsequently published by India as a White Paper. Liaquat's defence as quoted was framed in very definite terms.

"As regards the charges of aid and assistance to the 'invaders' by the Pakistan Government we emphatically repudiate them. On the contrary . . . the Pakistan Government have combined to do all in their power to discourage the tribal movements by all means short of war."

If in fact the Moslem League was the means by which official conscience was satisfied, Liaquat Ali Khan's claim could be regarded as slightly evasive yet technically correct.

In any case, I have never quite understood the wisdom in surrounding this question in mystery. There are many precedents in history for unofficial support of a movement on foreign soil from sympathisers from another country. Englishmen have fought within recent years on both Spanish and Finnish territory in sympathy with their friends. Naturally there are protests. But the answer has usually been that it is not possible to control the movements of those who offer their services in a cause in which they passionately believe. Would not some such frank admission from the Pakistan Government have been wiser than attempts to conceal the support which was passing to guerrilla forces operating in Kashmir?

My own inquiry in Pakistan led to certain conclusions. First, no British officer, civil or military, had any idea of the plans in preparation. Indeed, there was a deliberate policy of keeping them in ignorance in order to save them subsequent embarrassment. Had they known, they would have been torn between their willing loyalty to Pakistan and their sense of duty in preventing a situation with such obvious dangers in a wider political sphere. Secondly, certain senior officials were well aware of the intention, and discreetly turned the other way. Finally the

Chief Minister of the Frontier Province, who had family connections with Kashmir, gave it his blessing and unqualified assistance, without which the operation might not have been possible. He apparently held the rather simple view that tribal action would force accession to Pakistan on the Maharaja.

In so far as Pakistan officials were concerned, the wrong ones were chosen, and at least two officials with no knowledge of the tribes worked as emissaries. They paid for their folly in the choice of Mahsuds, who by tradition are the most ungovernable and wildest of a wild community. Contrary to expectation, few Afridis were implicated, and the balance was completed by Wana Wazirs, Mohmands, Swatis and Bunerwals. There is evidence that a few of the leading Mohmand Maliks were secretly interviewed in Rawalpindi as early as 2nd October.

The first news of actual movements reached the Governor of the Frontier Province on 20th October, when it was reported that 900 Mahsuds had left Tank in lorries for Kashmir. He immediately ordered their advance to be blocked at Kushalgarh, but they were already across the Indus. Simultaneously news came from General Ross McCay, who commanded the Peshawar Division, that tribesmen in lorries were crossing the Attock Bridge. McCay was then asked by the Governor to take preventive action, but he was quite unable to do so, since at the time he had no formed units ready. Moreover, in view of the prevailing political temper, at that stage Moslem troops ordered to oppose tribesmen bent on a *jihad* in Kashmir would almost certainly have laughed at their orders and gone over to join their co-religionists in the adventure. Mr. Grace, the Inspector-General of Police in Peshawar, appears to have received the news from Attock simultaneously with General McCay. But the earliest clue to the movement which came my way was a report of a message received by the British Deputy Commissioner of Mianwali, 150 miles to the south, who was given orders to lay on rations for 200 refugees passing through. Accordingly he awaited their arrival from the north. Yet it was from the south that they came, fully armed and hardly looking as if they needed charity!

The general conclusion is that while there was no plan of control by the Pakistan Government at the highest level, there was knowledge and tacit consent; and I believe the Pakistan case would not have suffered by a frank admission of the position. It was in its denial that heated controversy was engendered.

As to the value of the adventure from the point of view of Pakistan, it should be remembered that the tribes were leaderless. A very unpleasant character—Kurshid Anwar, a Punjabi who had held a commission in an obscure administrative appointment in the Indian Army—had been prominent in Hazara organising lashkars for Kashmir. He it was who was responsible for the foul massacre at Baramula. He has since met the death he deserved. There were a handful of bogus heroes from the I.N.A., and in the first months of 1948 there was Brigadier

Akbar, later involved in the Rawalpindi conspiracy case, a fearless and energetic leader of tribal bands in the fighting east of Muzaffarabad. But in the absence of real leadership on an effective scale the military value of the tribes was always limited. Later, they found they could successfully blackmail the Pakistan forces into letting them have arms, ammunition and stores, a procedure discovered to be more profitable and less dangerous than slaughtering Hindus. Finally, many of them broke south into the western Punjab and were able successfully to terrorise the population. It could be said that both from the military and political points of view the tribal invasion proved a disaster for Pakistan.

The first movement of tribes has been spoken of as an isolated decision born of nothing more than traditional irresponsibility and love of adventure. It was in fact the accumulated fanaticism of many days of bazaar rumours. Stories, already related, of atrocities committed against Moslems in East Punjab, in the Punjab States and the persecution in Jammu and Poonch, were magnified and distorted to fan the flames, though indeed the plain truth was sufficiently revolting. In particular, many Sikhs, forced from their lands in West Punjab and without homes in the east, were smouldering in resentment and seeking revenge. There was talk of an armed march on Lahore. And in the meanwhile they hit out brutally and without mercy at any Moslems within their reach. The counter-movement from the frontier was therefore not only an adventure: it was a *jihad*—the kind of reaction which is comprehensible only to a few who have worked for long years among the Mahsuds, Wazirs, and Afridis of the frontier.

The first tribal force, which numbered about 2,000, passed through Abbottabad in trucks and entered Kashmir territory on 22nd October, looting and burning Domel and Muzaffarabad in the process. Those who know the country will recall that just before the road from Abbottabad winds down the hillside to Muzaffarabad it crosses the small pass which divides the Kunhar and Kishenganga rivers at Lohar Garhi. In 1955 I climbed a small hill above the pass and saw the trenches where the Dogra State troops had dug themselves in overlooking the road as it curled round below them to descend to Muzaffarabad. It was obvious that a company of trained troops could have picked off the tribal lorries as they laboured up the hill from Abbottabad before reaching the top. The lorries would have piled up, and I doubt not that the adventure of 2,000 ill-disciplined tribesmen would have been broken up on the Kashmir border. But the troops concerned were the 4th State Infantry, of mixed composition, and immediately the two Moslem companies deserted. Finding themselves surrounded by hostile local villagers, any semblance of Dogra resistance collapsed. To help them in their indecision the Moslems killed their Dogra Commanding Officer.

The dispositions of the State forces had been previously decided by the Maharaja himself, Brigadier Scott's advice being ignored. He proceeded to scatter them around the Kashmir-Pakistan frontier in small packets,

thereby precluding all hope of their use as a concentrated, mobile force to strike effectively at an enemy invasion.<sup>1</sup>

By 25th October the tribesmen had advanced up the Jhelum Valley to Uri, destroying the Franciscan St. Joseph's convent at Baramula as they advanced, and with only the timid opposition of the weakened Kashmir State troops to bar their way. Drugged with past success, all their wild, adventurous savagery was let loose and, with the prospect of the rich Jhelum Valley ahead as the prize, they terrorised the hamlets and villages which cluster along the familiar road to Srinagar. The slaughter of innocent women and children in a convent probably lost them any faint communal co-operation they might have expected in the Valley of Kashmir. Their outstanding achievement, however, was to determine the Maharaja's indecision. Events during the last days of October require to be recorded accurately and in some detail; for the substance of the whole crisis was concentrated into a few tense hours at this period.

The first indication of the impending collapse of 100 years of Dogra rule came to Srinagar at nine o'clock in the evening. The Maharaja had held a Durbar in celebration of the Dusehra and the assembled Durbaris of 200 or 300 were about to leave, when all the Palace lights went out. The failure of the current was not unusual. But when the Palace remained in darkness, it dawned on the guests that all was not well. In fact, the tribesmen had captured the power-house 30 miles down the road at Mohara. There followed a stampede to prepare the convoy for Jammu. Carpets, furniture, everything which could be handled, was bundled into the lorries, and at midnight the caravan set out for Jammu; the rumour having been previously confirmed by the arrival of a wounded Dogra officer from Uri. At the same time every non-Moslem was permitted to fill up his petrol tank from the Badami Bagh Cantonment store; and the resulting dash for the Banihal Pass in the night must have led to some dangerous driving on a dusty, tortuous road.

Apart from the crime of tribal action at Baramula, the tribesmen probably lost their chance of capturing Srinagar through the loss of time involved. When their leading parties were being held, by the arrival of Indian troops on the Srinagar aerodrome, their main force appears to have been still searching for loot in and around Baramula. In these circumstances Lieut.-Colonel D. R. Rai, in command of the 1/11th Sikhs, was able to push through to Baramula in time to oppose the main

<sup>1</sup> In September the scattered State forces were situated as follows:—

4th Battalion, Muzaffarabad District; Companies at Kohala, Tithwal, Muzaffarabad.

5th Battalion, at Leh.

6th Battalion, in Northern Area.

7th Battalion, at Poonch city.

9th Battalion, on Poonch-Pakistan border.

2nd, 3rd Rifles, Mirpur District.

Remainder in Srinagar and Jammu. Reinforcements sent to Muzaffarabad in October.

body of tribesmen.<sup>1</sup> Alas, he arrived too late to save the convent or the lives of Lieut.-Colonel D. O. Dykes and his wife; while he himself was killed in a gallant action on the outskirts of the town.

Lord Mountbatten had emphatically advised his Government that without the formal accession of Kashmir it would be neither right nor wise to take military action. Accordingly, Mr. V. P. Menon was flown into Srinagar on 25th October and informed the Maharaja of the view of the Government of India. He returned immediately to Delhi with the news that it would not be possible to hold Srinagar from the tribesmen without sending in troops. At that stage arms and ammunition which were owing to the State under the previous treaty had, for various reasons, not been dispatched, and it appears that the Maharaja's first request concerned this claim. On 26th October the Defence Committee decided to prepare to send troops by air the following day and to accept the accession if it was offered. On the same day Mr. Menon flew back to Srinagar, this time returning with both the signed accession and the request for troops, in addition to the arms and ammunition which were due.

The Maharaja's request for accession and Lord Mountbatten's reply are letters of such significance that they have been reproduced in an Appendix. Mountbatten's reply of 27th October is extremely significant as suggesting the beginnings of an infectious inconsistency which, as we shall note, was quickly to be seized on and developed in argument by Mr. Nehru.

"My Government have decided to accept the accession of Kashmir State to the Dominion of India. In consistence with their policy that in the case of any State where the issue of accession has been the subject of disputes, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish that, as soon as law and order have been restored and the soil cleared of the invader, the question of the State's accession should be settled by a reference to the people."

The Government of India *accepts* an accession. Yet in the next sentence the issue is to be settled by a reference to the people. It would seem that only a slight adjustment of words was required to convey a more rational interpretation of the situation. "*As a temporary measure* my Government have decided to accept the accession to the Dominion of India, pending a settlement by a reference to the people." Does not this state the intention? Had the understanding been framed according to a more precise definition, there might have been less room for that subsequent ambiguity of interpretation which has been the charge levied by Pakistan against India over the years. I do not for a moment suggest that Lord Mountbatten had in mind any other development than the normal expectancy of the *status quo* to be followed by a plebiscite within

<sup>1</sup> 1/11th Sikh Regiment was the first Indian unit to be flown in, receiving its orders in Delhi at 1 p.m. on 26th October.

a year. His previous attempt to persuade the Maharaja and his subsequent advocacy of an internationally controlled plebiscite are consistent with a perfectly unambiguous intention—for the people of Kashmir to settle the matter. It is far more probable that the opportunity for procrastination was quickly appreciated in Indian Government circles and has resulted in a play of words to screen intentions ever since. In this development, no more than anyone else could Mountbatten have foreseen that the monotonous controversy was to drag on into the future years.

Perhaps the most interesting feature of the exchange is the Maharaja's final reference to Sheikh Abdullah's appointment as joint Prime Minister and Mountbatten's satisfaction. Had the circumstances been those of a normal objective constitutional relationship, there could surely have been no cause for either satisfaction or disapproval of an internal State appointment.

I stressed that there was no previous plot. But at that late hour the advice which Mr. Menon was prepared to give the Maharaja could only have been to throw in his fortunes with India. Having once acceded, the Maharaja at that stage could hardly be expected to refrain from asking for India's assistance. The decision to fly in troops was therefore an Indian one. It fell to General Sir Dudley Russell to superintend the operation, and Russell was certainly convinced that he was executing an errand of mercy. I had his firm assurance that the operation was entirely spontaneous, without any previous preparation. It is most important that this should be recorded, for there are few Pakistanis who for a long time did not believe that so successful an air-borne project could only have been executed with previous detailed planning. There happened to be a number of civilian planes available which were being used in connection with the evacuation of Moslem refugees to Pakistan. Russell and his staff were down on the aerodrome commandeering military and civil planes in as fair a piece of military improvisation as any commander could desire.<sup>1</sup> Here surely is an example of the kind of suspicion which

<sup>1</sup> As a military operation the Indian airlift was an impressive success. The troops arrived only just in time to save Srinagar, going straight into action as they landed on the edge of the airstrip. The following statement should be noted which was signed by the three officers commanding the three Services in India at the time.

"(a) It has been alleged that plans were made for sending Indian forces to Kashmir at some date before 22nd October, on which day the raid on that State from the direction of Abbottabad began.

(b) The following is a true time-table of events . . . [there follows a detailed time-table covering all decisions and action taken between 25th and 27th October].

(c) No plans were made for sending these forces, nor were such plans even considered, before 25th October, three days after the tribal incursions began."

(Sd.) R. M. M. LOCKHART

General. Commander-in-Chief, Indian Army.

(Sd.) T. W. ELMHIRST

Air Marshal Commanding, R.I.A.F.

(Sd.) J. T. S. HALL

Rear Admiral, F.O.C., R.I.N.

successfully bedevils the emergence of a new relationship between the two countries. Of academic interest for the soldier is the fact that had there been one Moslem company of well-trained troops in position on the aerodrome at the time, the Indian troops could probably have been picked off by automatic fire as they jumped out of their planes, and the success of the Indian air-borne operation might have been in jeopardy.

It has been argued that only swift military action saved the European community in Srinagar from the same fate as the Baramula convent. Certainly Srinagar, undefended, would have provided a Roman holiday for the tribesmen, in which case the Pakistan Government would have been called on to intervene. I have always considered this particular point of great importance; and when recently in Azad Kashmir I asked responsible individuals who had been present in Srinagar at the time for their views. It was pointed out that on 23rd and 24th October Moslem Conference leaders such as Ghulam Abbas and Moslem troops of the State forces and all Moslem police were in custody in Srinagar with machine-guns trained on them to prevent their escape. There were also present Moslem members of the Maharaja's Government, such as Colonel Adaulat Khan, the Chief of Staff of the State forces. With their guards removed these would have been free to take appropriate action; and it is impossible to believe that wisdom would not then have prevailed to restore law and order and control the situation. That there would have been bloodshed was not denied. But any suggestion that the situation was such as could not have been brought quickly under control, was equally not accepted. I was also reminded that such Pakistan regular troops as were available would obviously have been summoned to confirm the restoration of normal conditions. In the circumstances Abdullah was the only free leader capable of taking control.

Whatever degree of urgency may have seemed to demand the decision in Delhi, it is impossible not to deplore the circumstances by which troops called in to save Srinagar assumed the role of rescuing a vast State in which large sections of the people were unwilling to be rescued!

Mr. Jinnah first received news of the Indian action at Lahore on the evening of 27th October. At the time he was the guest of the Governor, Sir Francis Mudie, a host of generosity and infectious geniality. Jinnah immediately rang up General Gracey in Rawalpindi with instructions to dispatch Pakistani troops into the Jhelum Valley. The view has been expressed that had this been done, the valley could quickly have been consolidated and Pakistan would to-day be in possession of most of the territory she now claims. Gracey, however, felt that even if the troops could have been found, he could not give such an order without the knowledge or sanction of Sir Claude Auchinleck,<sup>1</sup> and he begged to be

<sup>1</sup> Field-Marshal Sir C. Auchinleck, G.C.B., G.C.I.E., C.S.I., D.S.O., O.B.E., former Commander-in-Chief in India, had after partition been appointed Supreme Commander with certain responsibilities for co-ordination between the C-in-C. of the two new Dominion Armies.

allowed to delay until Auchinleck could arrive in Lahore for a full discussion. Not only was there the need for restraint in order to prevent war between two Dominions, but also the Pakistan Regular Army was still in no position to undertake a campaign. Two or three units rushed into Kashmir might have won Srinagar for Pakistan. They could not have held an Indian direct attack on Pakistan's western Punjab which might well then have developed. On the morning of 28th October, Auchinleck and Gracey were able to persuade Jinnah to withdraw his order. For Jinnah it was a hard decision. His sense of frustration was complete, for he was being deprived of a country he felt racially and economically to be part of Pakistan. But whether the military or political arguments weighed uppermost in his mind he gave in with a good grace and accepted his defeat with dignity.

It had been the intention to follow up the meeting on 28th October with a full meeting the next day of all concerned in the direction of policy, with the object of thrashing out a settlement. Those expected to arrive were Lord Mountbatten, Pandit Nehru, Liaquat Ali Khan and Maharaja Hari Singh. By an unlucky stroke of chance, it so happened that while Liaquat was indisposed in Lahore, Nehru was also in poor health in Delhi; and so a summons from Lord Mountbatten to Mr. Jinnah to come to Delhi on account of Nehru being in bed was answered by a similar demand for Mountbatten to come to Lahore on account of Liaquat's indisposition! After some delays, Mountbatten came to Lahore without Nehru on 1st November. Although Nehru's condition had genuinely prohibited him from making the journey, the general opposition of the Indian Cabinet to any meeting in Lahore is on record.<sup>1</sup> The Kashmir problem is indeed an example of how the chances of settlement can recede by the refusal of leaders to risk agreement through the mellowing influence of the personal contact.

Meanwhile within Kashmir Sheikh Abdullah had been released on 29th September. It was the Maharaja's intention to set up an interim government with Abdullah sharing the powers with his own Prime Minister, Mehr Chand Mahajan, who had succeeded Pandit Kak. But events moved swiftly and, as we shall see, within a month Abdullah was to assume full responsibility. After release Abdullah appears to have spent his first days of freedom in reasserting his leadership without active participation in the administration. Then, having paid two visits to Delhi, he suddenly found greatness thrust upon him in a few breathless days at the end of October.

Sheikh Abdullah's release has been represented as the price of the accession which was to follow. In fact, as we have noted, a month was to pass before the crisis which forced the Maharaja to make up his mind, and the release could well have been the logic of relentless circumstances at the time. There is certainly no published evidence of Indian intervention. In contradiction, however, it was curious that the Moslem

<sup>1</sup> *Mission with Mountbatten*, Ch. 19, p. 227.



Conference leaders who had been far less aggressive in their attacks on the Maharaja remained in jail; and an alternative interpretation, that the release represented an understanding with Indian leaders, could equally be regarded as probable.

Abdullah lost no time in reasserting his political creed.

"... In Kashmir we want a peoples' Government. We want a Government which will give equal rights and equal opportunities to all men, irrespective of caste and creed. The Kashmir Government will not be the Government of any one community. It will be a joint Government of the Hindus, Sikhs, and Moslems. That is what I am fighting for."<sup>1</sup>

A sense of climax was heightened when, on 26th October, the Maharaja left Srinagar never to return. The advice to leave for Jammu proffered by Mr. Menon was hardly necessary. There was apparently little desire to stay and fight it out; and so a crowded convoy of relatives and property set out in the early hours of the morning, a sorry ending to the triumphant entries of Raja Gulab Singh in the previous century.

The Maharaja's accession has always been used as the legal foundation for India's claim to Kashmir. Yet on 20th June 1949 he was to be forced to his final surrender when he left the State for Bombay. Having used the ruler conveniently to satisfy legal obligations, India lost interest in his fate. He may not have merited State mourning. But his departure does lend the legality of accession a somewhat artificial appearance.

In accepting the accession, once again the Governor-General of India stressed on behalf of his Cabinet that Abdullah's administration was only to be regarded as an interim government. When the threat to peace was removed, steps would be taken to ascertain the will of the people. The point was emphasised in a broadcast by Nehru on 2nd November. "We are prepared when peace and law and order have been established to have a referendum in Kashmir under international auspices," said Nehru; and he proceeded to raise doubts as to the good faith of the Pakistan Government, which could not have been ignorant of an operation executed by tribal forces with every evidence of considerable preparation.

Possession is nine-tenths of the law, and it is difficult to believe that after the visits by Abdullah to Delhi in October, Nehru and his colleagues ever seriously contemplated any measures which would replace Abdullah's administration. Mountbatten was therefore unwittingly voicing a pious hope rather than an honest decision; and that is the impression which unfortunately has lingered on through subsequent months of bargain and procrastination. On 1st November, after a meeting of the Joint Defence Council, Mr. Jinnah put forward a plan by which both the Governors-General were to issue a joint proclamation calling on all those engaged in fighting to cease fire within forty-eight hours. If the tribesmen did

<sup>1</sup> *Peoples' Age* (Bombay), 26th October 1947.

not obey, the two armies were to take collective action against them.<sup>1</sup> Thereafter the administration would be in the hands of the two Governors-General, who would accept responsibility for a plebiscite. A technical difficulty was that whereas Mr. Jinnah had taken unto himself the maximum powers possible under the Indian Independence Act, Mountbatten had been careful since partition to exercise the minimum control. Mountbatten promised to place Jinnah's proposal before his Government. The answer was a flat refusal. Whatever our verdict on the Indian interpretation of their Governor-General's powers, it should be recognised that Jinnah's proposal was a perfectly fair and honest attempt to put forward an effective settlement,<sup>2</sup> and to dismiss it as a prevarication is a complete distortion of truth.

Lord Mountbatten in turn proposed that a plebiscite under United Nations auspices should be held, but at that stage Jinnah was not prepared to agree. Here, then, was the first proposal for a test of public opinion under International supervision. On 2nd November in a broadcast Nehru repeated the offer of a plebiscite, but failed to mention Mr. Jinnah's alternative proposal. Meanwhile in Pakistan there were second thoughts on the matter, and on 16th November Liaquat Ali Khan replied with a general proposal the nature of which was not unlike the pattern of subsequent plans put forward by Dr. Graham. A withdrawal of outside forces and an impartial administration of the State until the plebiscite could be held were to be the simple guiding principles. In Nehru's reply of 21st November he immediately indicated his own interpretation of an impartial plebiscite which differed widely from that of Liaquat Ali. Since the United Nations had no forces in Kashmir, argued Nehru, they could neither stop the fighting nor could they deal with alleged repression of Moslems.

"It is not clear to me what the United Nations Organisation can do in the present circumstances in Kashmir until peace and order have been established. We are convinced that Sheikh Abdullah's administration is based on the will of the people and is impartial. Only he who goes to Kashmir and sees things for himself can appreciate this. Moreover, we have pledged that, so long as our forces are in Kashmir, protection of all sections of the community will be their first and sacred duty. This duty will be discharged without fear or favour. I have repeatedly stated that as soon as the raiders have been driven out of Kashmir or have withdrawn, and peace and order have been established, the people of Kashmir should decide the question of accession by plebiscite or referendum under international auspices such as those of the United Nations. . . . By this declaration I stand."<sup>3</sup>

<sup>1</sup> *Mission with Mountbatten*, Ch. 19, p. 226.

<sup>2</sup> "We will warn them in the clearest terms that if they do not obey the order to cease fire immediately the forces of both Dominions will make war on them."

<sup>3</sup> White Paper on Jammu and Kashmir, pp. 61-7.

It hardly requires an examination by leading counsel to destroy the curious thought sequence. If Nehru was convinced that Abdullah's administration was based on the will of the people, from his point of view there was no need of a plebiscite and he should never have agreed to one. Alternatively, having agreed, the sooner it was held the sooner would there be confirmation of his faith in Abdullah's position. The power of the United Nations to deal with the matter was doubted. Yet the process of giving them that power was resisted. Nehru has never moved very far from these concentrated contradictions. Many months later they were evident in the exchanges between him and Mohammed Ali. It would almost seem as if the years between had been devoted to erecting façades of agreement supported by a few welcome phrases of platitude and compromise on minor points, while at the time the very foundations of controversy were left unassailed.

There remains a final reflection. Only two months previously India and Pakistan had gone their separate ways. In spite of the terrible events which stood between them, there were men in Delhi and Karachi who had worked together all their lives. Mountbatten, though now the Constitutional Head of the Indian Union, was an Englishman with some obligation, surely, in such an emergency, beyond that of the sole interests of India? How was it, then, that on 24th or 25th October no one in Delhi thought of getting on the telephone to the Pakistan Prime Minister and dealing with the crisis as a solemn responsibility to be shouldered by a display of joint statesmanship? If Mr. Nehru could not have risen to the occasion of his own free will, was there no one at his elbow of sufficient vision to have influenced him to do so? Therein was the tragedy. We are told that *after* Indian troops had left for Srinagar Nehru telegraphed Liaquat Ali Khan. This, alas, was wisdom after the event. The tribal invasion should have been treated as an adventure equally damaging to both countries demanding co-operation, not antagonism, if it was to be defeated. Had India made an approach on these lines, Pakistan leadership would have faced its severest test; for co-operation with India at the expense of active steps to prevent tribal action would hardly have been a popular policy in the new Pakistan. At the time of these events Lord Ismay was flying back to India from London, and we can only regret that his measured judgment was not available to pour oil on troubled waters.

On 30th October the Pakistan Government issued their repudiation of the Maharaja's accession to India, achieved, as they alleged, through fraud and violence. Their repeated efforts to reach an understanding with the Maharaja had either been ignored or rejected. They then developed the argument that as early as 15th October the Maharaja's Government had in fact sought to stage situations which would provide him with the excuse to ask for India's assistance. Poonch was such an example. In a broadcast on 4th November, Liaquat lost his usual caution and hit out with more zeal than discretion. The people of

Kashmir were fighting not only for their freedom, but for their very existence. They had been caught in the meshes of a widespread plan for the extermination of Moslems. The plan had succeeded in Alwar, Bharatpur, Patiala, Faridkot and Kapurthala, and all these were States which had acceded to the Indian Union. Thus argued Liaquat. Of Pakistan's efforts to negotiate with the Maharaja little is known; and, as I have previously indicated, such attempts as were made to bring Sheikh Abdullah and Mr. Jinnah together failed because, both being men conscious of their own position and importance, neither could bring himself to make the first move.

The problem was rapidly slipping away from the prospect of individual statesmanship and negotiation, and was entering the stage when public opinion takes charge and leaders, alas, are compelled to follow.

The Pakistan terms for agreement were published on 3rd November, and simultaneously formally rejected by India. They amounted to a complete negation of the existing situation. The State troops were to be immobilised and Abdullah's Government held in abeyance. The only common ground was an agreement to a plebiscite under international supervision. It is this one common denominator which ever since has constituted the hope for a final compromise.

In the meanwhile the Indian forces had gradually got the measure of the opposition. On 7th November Indian troops attacked the rebels within 5 miles of Srinagar and inflicted heavy casualties. On 14th November the Indians reoccupied Uri. This coincided with a formal announcement by General Gracey that the Pakistan Army had issued no weapons to the tribesmen and that no serving officer had played any part in planning or directing the Kashmir operation.

The tribesmen had now shot their bolt. They had stuffed their lorries with loot, and the burning impulse of a *jihad* had rapidly deteriorated into the less lofty motive of a snatch-and-grab raid. There were in fact more coming out than going in, and such as remained constituted a liability rather than an asset to the subsequent Pakistan plans for holding the enemy. Their political value for Pakistan had been to enhance the reputation of Abdullah, while their military value had been limited to deceiving India as to the real strength of the opposition.

With the tribesmen back to their point of entry it was natural that subsequent operations should extend to the south and south-east of Muzaffarabad. For months now the line has therefore been stabilised at a point west of Uri, taking its shape from the extension of operations which developed from November 1947 onwards.<sup>1</sup> As fresh reinforcements of tribesmen arrived, so they attempted to find a free flank to the south for raids into Kashmir territory. By 14th November they had reached to Mirpur, and a line which ran through Mirpur, Kotli, and Poonch became stabilised. Behind it the Kashmir Azad Government

<sup>1</sup> The line, with minor modifications, became the "Cease-fire" line which was finally accepted by both sides on 27th July 1949.

spread out its control over the whole of the country which constituted the great spurs and valleys radiating south-west from the Pir Panjal range. Such of the Maharaja's State forces as were in the area were cut off, the Poonch Moslem sepoys deserting with their arms to join the liberation forces in allegiance to the Azad Government.

With the new year and the gradual entry of Pakistan regular forces into the story, operations came to assume the aspect of a war. It is to this most ambiguous of wars that we now turn, novel in that never before can two armies in opposition have known quite so much about each other, nor really have been more surprised at finding they were expected to put into practice against former colleagues the lessons they had learnt together in the same school.

## WAR UNDER CONTROL

ON 19th November Indian reinforcements set out to relieve the beleaguered State garrisons, and by 21st November they had succeeded in reaching Poonch. But relief could not be achieved without a full commitment to fight and defeat the Azad forces, and thus, early in the new year, the Army of India found itself entangled in a prospective major campaign with a long vulnerable line of communications stretching through Jammu to Pathankot in India. The Indian extension of the fighting was contrary to the advice of General Bucher, who had urged discretion on his Government. But the zeal of the local commanders appears to have been beyond the control of Delhi. In any case, there was much public support for an aggressive policy to extend the operations. It was in these circumstances that regular units of the Pakistan Army came gradually to assemble behind the Azad forces, a process which was responsible for the whole scope of the Indian accusation of an illegal act of international aggression. The initial Indian advance towards Mirpur had caused very large numbers of Moslems to flee over the Kashmir border into Pakistan. If the Indian Army, sweeping aside the resistance of the irregulars, were allowed to advance and lap up the last corner of token Azad resistance, Pakistan could well expect another half-million refugees to swell the millions which were already the despair of her Government. In the circumstances it was perhaps not unnatural that, with Indian final intentions unknown, the Pakistan Army should increasingly be deployed behind the irregular forces of the Azad Kashmir Administration.

India's intentions were almost certainly quite innocuous. But at that stage a new nation in an emotional state of over-charged nationalism, seeing her neighbour's army posted all the way from Tithwal round to Ferozepore, was hardly able to appreciate the fact. It was thus the combination of a belief in the threat to her security with a great influx of refugees which was the motive behind the intervention of Pakistan's Regular Army.

Once again I draw attention to the obscurity surrounding the first use of Pakistan Regulars in the war. At G.H.Q. in Rawalpindi, in so far as they were prepared to discuss the matter, I was assured that no regular unit was moved before May. Yet a battery of mountain guns with an infantry escort were in action in an unsuccessful attack on Poonch on 17th March.<sup>1</sup> Again, on 21st March General Kalwant Singh had to

<sup>1</sup> Had the doubtful quality of the Azad troops been realised at the time, the attack would not have taken place. The Pakistan mountain guns had registered

abandon an attempt to land on the Poonch airstrip, since it was under artillery fire. He was, however, able to arrange for the landing of two 25-pounder guns, which were effective in saving Poonch city for the Indians. On the Indian side, General Russell believed that regular troops were involved in January. He accordingly asked to be relieved of his command. Whereupon on 20th January General Cariappa took over.<sup>1</sup> Cariappa was also convinced that at this stage Pakistan was using regular forces. He based his opinion on the fact that a number of prisoners of regular units had been taken, and he faced his Pakistan friends with the charge. This he was able to do since an invitation to the Pakistan Armoured Corps "Week" in Lahore came through to him from his old friend, Major-General Iftikar,<sup>2</sup> who was then commanding the 10th Pakistan Division in Lahore. Towards the end of May, General Cariappa again crossed over to the enemy on a self-appointed mission of his own initiative. At a party in his honour given by Major-General Loftus-Tottenham<sup>3</sup> in Rawalpindi he repeated his charge. This time he was on more certain ground, for May has always been the month which Pakistanis have allowed as the date of the first employment of their army. In conversation with Cariappa, Brigadier Sher Khan, the Pakistan Director of Military Operations, admitted he was worried about the number of deserters who were dribbling off to fight in Kashmir.

What is the truth? After discussion with many of those concerned, it was possible to formulate broad conclusions. As early as February it was clear to the Pakistan Commanders that Azad forces by themselves could not possibly hold India's Army, which was deployed in considerable strength. It was therefore decided that 7th (P) Division should occupy firm bases a few miles behind the Azad forces, but that they should not be directly employed against Indian troops. Their presence would, at that stage, constitute an insurance against a break-through, but nothing more.<sup>4</sup> Battalions were therefore deployed within Kashmir, but the Headquarters of Brigades remained on Pakistan soil. Previous to the

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accurately, and in the evening they opened up, taking the Indian garrison completely by surprise. But the Azad units failed to advance and occupy the vacated positions. The airfield, however, remained under fire.

<sup>1</sup> In order to restore confidence throughout the demoralised area north of Delhi, a special military command was set up, and Lieut.-General Sir Dudley Russell was appointed to the "Delhi and East Punjab Command". This command later included responsibility for Kashmir and was then assumed by General Cariappa. In turn General Kalwant Singh later took over command of all troops in Kashmir on 5th November 1948.

<sup>2</sup> This fine officer was killed in a plane accident in December 1949.

<sup>3</sup> Major-General F. J. Loftus-Tottenham, C.B.E., D.S.O. This officer was subsequently in charge of the final operation which closed the Kashmir War. In 1955 he held an important civil defence appointment in Northern Ireland.

<sup>4</sup> Pakistan Headquarters issued orders that no British officers were to participate in Kashmir operations. I was informed that one or two officers, in their zeal, overlooked the order. General Bucher had issued similar orders in India as early as 29 October 1947.

moves of 7th (P) Division a process had developed by which generous leave was granted without much worry as to how or where the applicant took his holiday. In particular small sub-units, signallers and others, took their leave together and were of use to the Azad forces. The sanction of leave, and later the deployment of 7th (P) Division without its full commitment to action, therefore fairly represents the Pakistan participation before May 1948. The pity was that though the official intervention in May was admitted, the admission was not made until August. Had a full confession been made at the time, together with a clear statement of the reasons, the path of subsequent negotiation would certainly have been smoother. Where there is so much cause for sad and sober reflection, it is refreshing to note the delightful manner in which India's General responsible for operations was able to cross over and enjoy a cocktail party at the expense of one who, though certainly not an enemy, found himself in duty bound to play the part of opponent.

A glance at the map will reveal India's military predicament. It was soon realised that nothing less than a force of two divisions would suffice to relieve Poonch. As an increasing number of their troops became involved farther west, so a road had to be constructed behind them from Pathankot to maintain the forward troops. The sequence of events was not unlike many a similar campaign which had developed through thoughtless, haphazard plans and policies down the old Indian Frontier in the past fifty years. The initiative to attack and raid the Indian lines of communication remained with the smaller, less organised forces of Pakistan, who were without the commitment to an impractical objective. As the line became stabilised the advantage to Pakistan increased. Pakistan could choose her point of attack from any one of several centres, and not have far to move her troops in doing so. In contrast, in order to avoid setting foot on Pakistan soil, India could only confine her movements to the long line up from Amritsar to Poonch. For Pakistan it was an advantage not unlike that enjoyed by the North Koreans in their knowledge of the immunity of Manchurian soil across the Yalu River; and it was a very real advantage.

The initial air-borne operation to defend Srinagar had all the elements of an exciting adventure. But the Indian troops had little heart for this further stupidity. They were slow over the massive hills as compared with their lighter opponents, while many of them could, happily, not forget that until recent times they had all been part of the same Army. Indeed, on one occasion two companies of the Guides Infantry found themselves in opposition and came to a friendly arrangement about jamming each other's wireless messages! Their lack of mobility could in some measure be compensated by the use of their air arm, a use which inevitably resulted in the bombing of some inoffensive targets, including the well-known summer leave station, Murree, with consequent Pakistan protests. General Bucher deplored the use of the air arm, and



Nehru was in general agreement with him. But there appears to have been no tight control exercised over the Indian Air Force, and local demands for air support were easily put through. At one stage in the summer of 1948, on General Gracey's signal that he could arrange with the Azad forces for the safe evacuation of the Indian garrisons in Poonch, General Bucher approached Nehru, who gave his consent to a "cease-fire"; but the Azad irregulars were enjoying themselves too much, and it was effective for only a few days.

I would not wish this comment in any way to be interpreted as a reflection on the fighting qualities of India's Army as compared with the forces of Pakistan, for we know well enough the qualities which made distinctions invidious in the days when in peace or war they were one brotherhood. But I do assert that the motive to fight in the case of Pakistan was more vital than that in the case of India, with obvious repercussions in the two armies which any soldier will appreciate.

The initial instruction to Pak Army<sup>1</sup> by their Government was "to prevent India obtaining a decision by force of arms". Having in view the wider implication of avoiding as far as possible direct conflict between the two armies, this instruction imposed a basically defensive role on Pak Army. It was therefore decided that the best method was to force India to disperse her troops and reserves on non-vital objectives, and beleaguered Poonch provided the perfect answer.

If Poonch was captured, the political repercussions in India would be considerable. India was therefore bound to use up a good deal of strength in at least maintaining the garrison, and if possible effecting its relief. So long as she had this burden on her hands it was unlikely that, with her limited resources, she would be able to sustain a strong offensive in other more vital directions, such as the Jhelum River at Muzaffarabad or the canal headworks at Mangla.<sup>2</sup> In general terms this "running-sore" strategy worked, and the diversion of India's effort on Poonch was certainly enough to detract considerably from her intentions elsewhere.

In the north on 19th May the Indians struck against Uri simultaneously with an outflanking move directed on Tithwal. The Uri thrust was held after some determined and confused fighting. But the outflanking move met with practically nothing except tribal opposition, and Tithwal was reached without difficulty. Pakistan's situation was now grim, and had India only used air supply more aggressively to maintain the impetus of this outflanking success her forces would so severely have threatened Muzaffarabad as to force a Pakistan withdrawal from the whole northern sector. Luckily for Pakistan they paused, and 10th (P) Brigade, relieved from elsewhere and already tired, under Brigadier Haji Iftikar Ahmed,

<sup>1</sup> The military abbreviation in common use.

<sup>2</sup> The Mangla headworks control the Upper Jhelum Canal, which irrigates a great area in the north of West Pakistan.

was rushed up the track from Muzaffarabad towards Tithwal, and not only held the Indian advance but counter-attacked and recaptured some vital ground. Pakistan's rescue of her situation was the turning-point in a very unfortunate campaign.

The advance of 10th (P) Brigade beyond Muzaffarabad was carried out in the face of great difficulties, not only administrative but also of terrain, and Pakistan certainly owes a debt of gratitude to this fine formation and the cool, determined leadership of its commander. Brigadier Haji, to give him his familiar name, was a cavalry soldier with little or no infantry experience. He here found himself confronted with an infantry situation in mountainous country. That he solved it correctly is an illustration of a simple principle of application outside its purely military context, that character and judgment are the masters of textbook knowledge.

When the threat to Tithwal was at its height, Pakistan was confronted by two alternative plans. The first was to withdraw the Uri front on to Muzaffarabad and then fight it out in a full pitched battle. The second was to abandon Muzaffarabad and hold a token area of Kashmir within the area Kohala-Bagh-Palandri-Bhimbar. From this confined area guerrilla operations could then be used to effect.

The implications of adopting one plan or the other were so great that the decision was felt to be a political one, and was accordingly referred to the Cabinet. Fortunately for Pakistan, they chose the first plan, with the result described, by which 10th (P) Brigade retrieved a desperate situation.

By June it had become obvious that one division could not continue to hold the Pakistan extended front, and so with effect from 20th June the 9th (Frontier) Division moved to Abbottabad and took over the line from Bagh up to Tithwal. Thereafter two divisions were the basis of the Pakistan defence.

As 1948 wore on the general course of operations in the south-west of the State hardened to a stalemate. The tribesmen's psychology was hardly suited to a standstill war. The chance of snatching a quick victory had gone, and the tribes had no wish to be tied down to a desultory campaign in the south of the State. A diversion was therefore sought, and with the melting snows the Northern Scouts carried out a rapid move round the north of the Kashmir Valley and appeared in strength at the south exit from the Zojila Pass north of Srinagar. The Indians were quick to meet the new threat. A squadron of light tanks was accordingly rushed to Zojila. It was General Bucher's suggestion that in order to lighten the weight sufficiently to enable the bridges to be crossed, the turrets should be removed. The tanks were therefore dismantled, and reached their mountain battle-ground in time to be re-assembled on the Pass. Armour has certainly never operated before or since at an altitude of over 10,000 feet, and the Indian Army rightly takes pride in the achievement. The threat evaporated, but not until a

great tract of country in the north of the State, including the Gilgit Agency and the tributary States of Hunza and Nagar, had thrown in their lot with Pakistan.

By the end of August the Pakistan Sappers had driven a road through Palandri towards Poonch. It was a rough-and-ready job of work, but it did enable them to run a 25-pounder gun to within range of the Poonch airfield. With the road open once again in October, the Pakistan Command contemplated an attack on Poonch, which throughout the year had served as a magnet for both sides. India, however, had pushed a relief force vigorously forward from Rajauri who were able to effect the relief of the garrison before the Pakistan attack could be mounted. With Poonch relieved, Pakistan could no longer rely on her "running-sore" strategy, and it was accordingly decided to act more aggressively and create a threat against some vital point of the Indian communications. By November the Pakistanis felt they could afford to take the risk—and it was considerable—of withdrawing forces from their Lahore front where Indian forces faced them, and concentrating in the area of Jhelum and Gujerat.<sup>1</sup>

The obvious area to harass the Indian lines of communication was somewhere between Pathankot and Jammu, in the neighbourhood of Akhnur, where the new road was carrying the full maintenance of a corps of two divisions. It was, however, realised that an Indian counter-attack, if successful, would have carried the war on to Pakistan soil, with all the fatal consequences of a full-scale inter-Dominion war. A point was therefore chosen between Jammu and Poonch, where the vital bridge at Beri Pattan provided a target which could be attacked from bases in Pakistan territory. At the same time measures were taken to mislead India. A whispering campaign was initiated supported by "indiscreet" utterances over the Azad radio in order to give the impression that a counter-attack on Poonch was intended, accompanied by an advance on Rajauri from Kotli. The attack was originally planned for 8th December, but was delayed on account of political negotiations which were in progress between the delegations in Paris. On 13th December the Royal Indian Air Force successfully bombed the Pakistan dump at Palak on the Kotli line of communication, thereby providing Pakistan with an excuse for retaliatory action. It is significant of the usual conditions that at least excuses were still regarded as useful sanctions to begin a battle! By now the Indian Intelligence had benefited from the delay in the Pakistan plan coming into operation and had a shrewd idea of the intention. Their pilots were busy, and the Pakistan gunners were being shelled; and so on 14th December 1948 Pakistan staged their final threat. In a thirty-six-hour bombardment the Pakistanis not only shattered ammunition dumps and communications, but successfully

<sup>1</sup> The Pakistan concentration consisted of 10th Brigade (made available from 9th Division), a parachute brigade, two field regiments R.A. and a medium battery R.A.

searched out the Indian Divisional Headquarters at Naoshera.<sup>1</sup> A point on which General McCay was most emphatic is that neither this engagement nor any other exchange of fire initiated from Pakistan soil.<sup>2</sup> The dispositions behind the front line obviously involved movement within Pakistan. But no gun was fired or attack launched from inside Pakistan territory, and the control of actual operations was also conducted from within Kashmir.

After the battle General Bucher's first inclination was to call upon armoured units from India and push them south from the road into Pakistan. But his armour was widely scattered, and the chances for a quick decision for either side had passed. Bucher doubtless realised also that, as Commander-in-Chief of the Indian forces, he was no longer merely concerned with the eviction of wild tribesmen from a State which he regarded as a legal unit of India; he had now to prevent a war between two Dominions. In these circumstances he approached Nehru with the suggestion that he should signal Gracey and that they should in mutual co-operation effect a cease-fire.

The credit for the cease-fire has been given to the United Nations Commission, and it is not generally known that in fact it was British initiative which should receive the honours. Bucher realised that Gracey would almost certainly support the proposal. He knew, too, that the United Nations Commission were about to make their own proposal, and that it was in the mutual interests of both India and Pakistan that the initiative should come from one of the contestants. He must also have known that if this war was to continue, India's honour would almost certainly now require to be satisfied. That satisfaction could only involve carrying the war on to Pakistan soil, a commitment which India was neither politically nor physically prepared to sustain. Having therefore obtained Pandit Nehru's approval, on the afternoon of 30th December Bucher sent Gracey the telegram which is reproduced as an Appendix. This suggested that if Gracey was prepared to reciprocate, Bucher would immediately order his troops to remain on their present positions and cease fire. Gracey agreed, and thus the craziest of wars was brought to a halt. The cease-fire was not difficult to implement. As has been pointed out, the opposing forces had but recently been one army. Many of the commanding officers had been colleagues together at Sandhurst or the Royal Military Academy at Dehra Dun. Sometimes they discovered that they were brother officers of the same unit. In such circumstances it certainly seemed folly to fight. The significance of the situation was just that the worthy envoys from Lake Success were comparatively inactive passengers so far as any influence at this stage on events in Kashmir was concerned.

<sup>1</sup> The main operation was named "Operation Venus". A subsidiary plan "Little Venus" was prepared, but was not executed on account of its political implications.

<sup>2</sup> Lieut.-General Sir Ross McCay, K.B.E., C.B., D.S.O., had now assumed the appointment of Chief of Staff, Pakistan Army. (See Chapter Four, p. 55.)

There is one aspect of the military situation over which Pakistanis brood with bitterness. It concerns the award of the Gurdaspur District under the Radcliffe Award.<sup>1</sup> It will be recalled that the statement of the British Government known as the "3rd June Plan" announced arrangements by which the members of the Punjab and Bengal Legislative Assemblies should each meet in two separate portions to decide their fate on partition. The portions comprised members respectively from districts holding Moslem and non-Moslem majorities. If either portion then voted for the division of their province, the province would be divided.<sup>2</sup> This, in fact, happened; and so the Punjab—that magnificent administrative creation of British enterprise—was torn in two. The point is that the basis of the decision to divide was the district, and in an appendix to the plan the districts with Moslem majorities according to the 1941 Census were enumerated. In the Lahore Division the Gurdaspur District carried a Moslem majority. A glance at the map will show that had this district as a whole been awarded to Pakistan, the position of troops landed by air in Kashmir from India would have been quite untenable.

The Gurdaspur District consists of four *tehsils*; Batala, Shakargarh, Gurdaspur itself and Pathankot. Of these, the first three had Moslem majorities, and only the Pathankot *tehsil* had a Hindu majority. Had therefore the three Moslem *tehsils* gone to Pakistan, the maintenance of Indian forces within Kashmir would still have presented a grave problem for the Indian commanders, for their railhead at Pathankot is fed through the middle of the Gurdaspur *tehsil*. It was Radcliffe's award to India of the Gurdaspur and Batala *tehsils*, with Moslem majorities, which rendered possible the maintenance of an Indian force at Jammu based on Pathankot as railhead, and which enabled India to consolidate her defences southwards all the way from Uri to the Pakistan border.<sup>3</sup>

The award, coming as it did in August, was bound to be noted by the Kashmir Government, and could not have failed to influence their subsequent thought and policy. The Radcliffe Award excited so much controversy in Pakistan that it will be of interest to add a reflection on the work of Sir Cyril Radcliffe's Commission. In the case of the partition of the Punjab, Radcliffe was assisted by four High Court Judges from the Punjab. Two were Moslems, one was a Sikh and one a Hindu. It was a sad reflection on the state of the country that four eminent judges divided their judgment exactly according to communal sentiment, the

<sup>1</sup> Sir C. Radcliffe, G.B.E. Now Lord Radcliffe of Werneth (cr. 1949), Director-General, Ministry of Information, 1941-45; Vice-Chairman, General Council of the Bar, 1946-49.

<sup>2</sup> The "3rd June Plan" did not specify that districts with Moslem majorities were to go to Pakistan. It merely used the distinction of Moslem majorities and non-Moslem majorities as the basis for deciding the issue of whether or not to partition the Punjab. But in doing so it naturally implied that the principle of the composition of a district would govern its allotment to either country.

<sup>3</sup> Only the Shakargarh *tehsil* west of the River Ravi was left with Pakistan.

final responsibility for each decision falling to Radcliffe himself. The exact terms of reference were :—

“to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Moslems and non-Moslems. In doing so, it will take into account other factors.”

Those other factors were certainly given their full consideration. They were not unimportant. The orientation of railways, canals and a hydro-electric system were the main arguments cutting across the satisfaction of communal demands. In this particular case a glance at the map will reveal that to have awarded the Pathankot *tehsil*—the only *tehsil* in the Gurdaspur District with a Hindu majority—to Pakistan, would have placed the headworks of the Upper Bari Doab Canal at Madhopur under Pakistan control. The canal irrigated the Lahore, Amritsar and Gurdaspur Districts, and of these Amritsar held a Hindu majority, besides representing the religious stronghold of the Sikhs. It was a case of the needs of an area artificially created by a canal against the sentiments of a majority of the inhabitants.

According to Mr. Din Mohammed, who was one of the two Moslem members of the Commission, Radcliffe's main reason for awarding the Batala and Gurdaspur *tehsils* of Gurdaspur District to India was that their award to Pakistan would have isolated the important Amritsar District from surrounding Indian soil. To the east the district was bounded by Kapurthala State, which, though ruled by a Sikh Maharaja, at that time contained a narrow majority of Moslems. If we contemplate the check-like pattern of *tehsils* on the map, we will appreciate Radcliffe's difficulty. That his decision covering the Gurdaspur District was sincere we should not doubt. But it is also fair to Pakistan to recall again that had the Gurdaspur District not been awarded to India, India could certainly never have fought a war in Kashmir.

The further suspicion, even conviction, of Pakistanis that Radcliffe, with Lord Mountbatten, was guilty of a plot to deprive Pakistan of Kashmir, is most unfortunate. Mr. Din Mohammed, for one, will doubt our good faith for many months to come. Yet it would be wrong for Englishmen who stand outside the controversy not to believe in Sir Cyril Radcliffe's sincerity of intention or fail to appreciate his dilemma when he wrote :

“... differences of opinion as to the significance of the term ‘other factors’, which we were directed by our terms of reference to take into account and as to the weight and value to be attached to those factors made it impossible to arrive at any agreed line.”

We are told that Lord Mountbatten issued strict instructions that his staff were to have no contact with Sir Cyril Radcliffe during his difficult

task, while he himself equally avoided a meeting.<sup>1</sup> Accusations of collaboration are therefore certainly not to be accepted.

The cease-fire came into effect on 1st January 1949. On the Pakistan side there were then certain tribesmen and Pakistan Nationals inside the State, together with the troops of Pakistan's Army and the Azad Kashmir forces. On the Indian side were the troops of the Indian Army, troops of the State Army, and of the newly raised State Militia.

With the new year of 1949 the military aspect of the Kashmir problem faded into the background, leaving the arena clear for the political attack and counter-attack. It had been the most absurd of wars. There can be no precedent in history for a situation in which armies commanded by two senior British officers in telephonic communication were restrained with difficulty from closing with each other. The reactions of the commanders themselves were by no means simple. General Gracey was most certainly able to identify himself completely with the Pakistan cause. A few minutes' conversation with him was sufficient to convince me that here was a man who would be ready to risk his reputation for a cause in which he sensed an injustice to the side which fate had chosen for his championship. His situation differed in several respects from that of General Bucher. By geographical circumstances he was in close proximity not only to the troops he commanded, but also to the general pulse of local sentiment. At Rawalpindi he lived and worked on top of the situation, in contrast to General Bucher, whose direction was necessarily distant and who had to interpret events after rather than before they had been subjected to political scrutiny in Delhi. Bucher could communicate with Gracey with complete freedom. At the Pakistan end the wires were safe and "top secret" messages were respected. The reverse process was by no means so certain. But, above all, Gracey was struggling to establish an army which had to start from nothing, whereas Bucher's forces merely evolved from a process of mathematical subtraction. In the circumstances it was hardly just to blame Gracey for a failure to control wild hordes of Frontier tribesmen.

There remain to be recorded some aspects of the Kashmir War which might be considered as of particular interest for soldiers. Pakistan suffered severely from the improvised nature of her war-machine in contrast to a functioning concern. Until 1st November 1948 both the Pakistan Divisional Commanders were commanding administrative districts in the new State, with responsibility for their lines of communication, in addition to conducting operations in Kashmir. The complete Indian monopoly of the air imposed movement by night on Pakistan, and their commanders have testified to the great strain to which troops were constantly subjected. But perhaps the greatest disappointment for Pakistan was the comparative insignificance, from a purely military point of view, of both Azad forces and tribesmen. The former were brave enough in defence of their native soil, but they lost value in

<sup>1</sup> *Mission with Mountbatten*, Chapter 12, p. 152.

inverse proportion to the distance they were called on to fight from their villages. The latter, by their indiscriminate slaughter of both Moslems and Hindus, had by December 1947 successfully antagonised the entire Kashmir Valley, without any appreciable military contribution for the assistance of the gathering Azad forces. At the same time Pakistan was unable to spare the leaders which she could have hoped for to organise and lead either tribesmen or Azad Kashmiris. It had been thought that the mere proximity of the Pakistan Regular Army would galvanise the Azadis and tribesmen into action. Instead the contact operated merely to affect regular troops adversely. Pakistan commanders found the passive approach to war forced on them by political considerations extremely difficult to explain to their own troops, let alone to the irregulars. In the circumstances it is remarkable that Pakistan officers could continue to command the confidence of their men in the manner they did. To sum up, the Pakistan Regular Army had fought a war with one ally of propaganda value, and one as a definite liability.

When the cease-fire came, Pakistan senior commanders were confident that they could have achieved the rapid collapse of the whole of Kashmir before India could have obtained important results in Pakistan itself. There will be thousands of Englishmen who are thankful that their optimism was not to be tested. Pakistan had laid open her Lahore front, while India still had two armoured brigades on the Pakistan frontier. An inter-Dominion war, then as now, would have put the clock back, with disastrous results for millions. Perhaps the happiest aspect of an unhappy year was the fact that the commanders on both sides were always conscious of their grave responsibilities and the need to limit operations. It is on record that in informal conversation officers in Delhi did not conceal their dislike of fighting those with whom they had such ties of sentiment and tradition. If it had been left to them they would stop the fighting immediately. Political, not military interests, dictated events.<sup>1</sup> Until November 1948 to seek a show-down with India was for Pakistan not only bad politics, but also bad strategy. For India, too, operations in Kashmir were an unwelcome background to a situation in Hyderabad and on the economic front at home.

In this account of the most curious of wars I would emphasise that I have not told the story as a detective searching for clues in a crime. But I do believe that by exposing the outline of truth the foundations for any future settlement must be made more secure than by allowing suspicions to linger on. There we may leave the military situation, and pass on to note the confused tactics of the political entanglement. In the shooting which never really merited the term of "war", and which was officially never declared as such, we were aware that so long as British senior officers commanded the opposing forces, sooner or later the brake to a show-down could always be applied. But in the political arena it is difficult to see any finality, and we tire of the wearisome arguments. Yet

<sup>1</sup> *Danger in Kashmir*, Chapter 6, p. 125.



we cannot avoid them; for more is at stake than just peace for the long-suffering Kashmiris. In the intervening years senior commanders on both sides have been unable to forget the brotherhood of arms which they once shared. General Kalwant Singh<sup>1</sup> to-day tells a story which reflects something of the nature of the relationship. In December 1947 Indian troops lost Jhangar, an important road junction on the Mirpur-Poonch road. Later, they were able to effect its recapture. On 15th June 1949 General Sher Khan, the Pakistan Chief of Staff, came down to Delhi for talks with the United Nations Commission in connection with the cease-fire. There he met his old friend Kalwant Singh, with whom he had grown up since their days together at Sandhurst. It was then that Sher Khan confided that on the recapture of Jhangar by Indian forces he, Sher Khan, had sought out a notorious frontier outlaw, one Hayat Nazar Khan. "Bring General Kalwant Singh to me, and you will receive a reward of Rs. 10,000. But do not touch a hair of his head, for he is a very old friend of mine." These were the instructions to Nazar; and it would have added yet another touch of the grotesque had the instruction been carried out. Of more serious significance was the fact that General Sher Khan fully realised the gravity and risks involved in continuing to fight. For when General Kalwant Singh asked him, as soldiers like to do, for his general appreciation, the answer was that in broad terms the object was to achieve the dispersal of India's Army and then hope and pray for effective United Nations intervention.

<sup>1</sup> This fine officer in May 1955 had moved on to take charge of India's Western Command with his headquarters in Simla.

## AZAD KASHMIR

IT was thirteen years since I had last set out on the familiar journey which in the past had carried us from the scorching heat of an Indian summer to the cool relief of the beautiful Kashmir Valley. In those days every bend in the road was a matter of hard honking for the driver. The lorries overbrimming with humanity squeaked their way round the corners, scraping past each other with a few inches to spare in a manner which left one breathless: for on the open side a few hundred feet below invariably the tossing waters of the Jhelum River seemed the alternative to a head-on collision. The road in March 1955 held none of these terrors. The customs office at Domel where I had once wrestled in persuasion with an official that a bowl of goldfish was not a challenge to the State trout industry, had vanished. The Mongol coolies from unknown Asian spaces had gone. Instead bunches of tough little mules and an occasional army lorry reminded me that something rather fundamental had happened here in the intervening years. Turning up the Jhelum road from Domel, on the far bank of the river, they showed me the stone shell of the village of Garhi, bombed by the Indian Air Force in 1947. It certainly seemed a useless kind of target lying a few hundred yards off the road, and naturally without any protection, passive or active, for its few hundred harmless villagers. We drove on through Chenari, where a unit headquarters occupied the rest house. We reached the check post at Chakothi, signed the book, picked up a young Pakistani officer and drove on to the last post of Azad Kashmir. We were on the cease-fire line, witnesses of a war in suspension. It was curiously unreal. The Pakistani captain had taken advantage of a Sunday and put on a tweed suit. There was no wire and only 100 yards away, across a *nullah*, was the Indian post with a man obviously anxious to discover through his field-glasses what an Englishman was up to on the "enemy" side of the line. For "enemy" was the term that the Pakistani officer with us had used. I asked him when he had received his commission, and he replied, "In 1950."

He spoke of the comic relief of a rather dreary daily round. They had propped up some logs and with a little ingenuity had made them look like mortars. A few days later along came a member of the United Nations Observer Corps, summoned there in a message from distant Delhi. It is to be hoped that he saw the joke. In a more serious mood the Pakistani Commander had ordered that there should be no saluting on the cease-fire line. A salute gave away the presence of an officer, and a wary enemy might make some kind of a deduction from the number

of officers coming up to the front line. I had no doubt that on the other side similar small points were given attention.

We were standing in the post just where the road bent round the hillside to run up to the *nullah* bed, there to cross a bridge and curve round to the Indian post, so near in distance, yet so far in all that mattered. Suddenly the significance of the situation was clear, for the bridge was up. The road behind us was metalled. In front it became a mere track, petering out at the bridge and reassuming its status as a road only when past the Indian post, to mark its onward march to Srinagar. Down this route for years had passed the main traffic from the Vale of Kashmir. In the river below logs from the forests had floated to the Punjab for centuries. There were now no logs in the river, and the road, the age-old artery for man and merchandise, was closed in front of me. Here was human folly, unimaginable. On another cease-fire line in the Middle East the Arab and the Jew glared at each other in suppressed hatred. The line, though geographically fantastic, is, alas, ethnographically a reality. But the line I was looking at separated only one Kashmiri from another. And so, if and when finality moves towards a decision to partition the land along the present cease-fire delineation, let it be remembered that the one and obvious access of the country to the neighbouring Punjab—and with it all that that neighbour has stood for in the past—will be under divided and mutually hostile control.

Rather sadly I turned back, and my kind escort took me into the officers' mess, about a mile down the road. It was nothing but a peasant's hut with a few terraces of wheat and barley in front and the rocks of the hillside behind. But, true to type, they had managed to make themselves comfortable. They had brought up the mess furniture from a station in the Punjab, and they offered me beer from a silver mug with a date from the 1850s as witness of past history. We sat out on a terrace, and they turned on the wireless, which boomed its message through a couple of horns all round the enclosed valley. Here was something new in the soldier's off-parade hours. It so happened that the news announcer in Karachi was a friend of mine from school days at Clifton. I had hardly suspected when in 1915 I swept out his study that I would one day hear his voice resounding clearly through a Kashmir valley, telling Pakistani soldiers about rival obsessions concerning Formosa!

Before I left, my hosts impressed one point upon me. It was that villagers were free to move and cultivate their terraces right up to the cease-fire line. On the other side, they told me, the troops had cleared the people back 3 miles from the line as a security precaution.

I returned to Muzaffarabad, there to settle down to an inquiry as to the status and constitution of the Azad Kashmir Government. The story is most involved. To understand it we need to go back to 1938. Previous to that year Chaudhri Ghulam Abbas and Sheikh Abdullah had both been prominent in the leadership of the Moslem Conference. Outside influences had, however, been at work capturing their loyalties. As has

been noted, Ghulam Abbas gradually turned to Mr. Jinnah and the Moslem League, Abdullah to Jawaharlal Nehru and the Indian Congress. Nor was Abdullah averse to an understanding in 1938 with Sir Gopalaswami Ayyangar, Prime Minister of the State. Years later Ayyangar was appointed head of the State Ministry in Delhi, when naturally his previous acquaintance with Abdullah would have stood him in good stead.

In 1946 the leaders of both the two Kashmir political organisations were in gaol, their common opposition to the Maharaja's Government providing the only element of agreement between them.<sup>1</sup> It was during this time that Mohammed Ibrahim, an unknown assistant District Advocate in the Maharaja's Government, was given his opportunity of stepping into the vacuum and accepting the leadership of the Moslem Conference. The manner of Ibrahim's first notoriety was adventurous. Late in September 1947 the Junagadh affair was headline news in Pakistan and India. Stirred by the example of local Congress leaders in Junagadh State who had set up a government of their own to replace that of their Nawab, a few Kashmir Moslem Conference members met in a hotel at Rawalpindi on 3rd October 1947 and decided to imitate the measures taken in Junagadh. Accordingly they issued a bombastic statement to the Press which was also broadcast over the Pakistan radio. Maharaja Sir Hari Singh, they declared, was deposed with effect from 4th October. A provisional Government would be set up immediately in Muzaffarabad. The majority of these adventurers refused to reveal their identity, but three of them came into the open, and one of these, Ibrahim, set himself up as "Prime Minister". A certain Ghulam Nabi Gilkar was appointed as "President". But having left for Srinagar with the declared intention of arresting the Maharaja, he found himself isolated by greater events, and was later in December put behind the bars by Abdullah. Ibrahim made efforts to find a new President, but there were no bids. He then assumed the Presidentship himself. It will be recalled that Abdullah was released in September 1947. Ghulam Abbas, however, was not to have his freedom until March 1948, by which time Ibrahim had come to be accepted by a large section of the Moslem Conference. Sheikh Abdullah appears to have made approaches to Ghulam Abbas after his release, but without success. Abbas found his way over to the Pakistan side, and there followed some polite negotiation between him and the new Moslem Conference leader. With a gesture of magnanimity, Ibrahim surrendered the leadership to the former leader, Abbas accepting it with a similar gesture of appropriate reluctance. The exchange was not a success, and an arrangement was worked out by which, throughout 1948, Abbas reassumed the titular head of the Moslem Conference, Ibrahim remaining the administrative head of the Government of Azad Kashmir.

Throughout 1949 Abbas and Ibrahim continued to drift apart, largely through the enthusiasm of Abbas's followers. The late Liaquat Ali Khan found a formula by which both leaders could call themselves

<sup>1</sup> See Chapter Three, p. 39.

Presidents, the Azad Government, however, being responsible to the Moslem Conference. It was as if a Cabinet was not responsible to Parliament as a whole, but to the particular party in office. For a time this arrangement provided the answer. But in 1950 Abbas started to meddle in the administration, and the Pakistan Government found itself in the embarrassing position of a choice for its support between the rival leaders. Ibrahim resigned, and a new Government was formed. Ghulam Abbas took the title of "Supreme Head" of the Azad Government, Colonel Ali Ahmed Shah of Mirpur assuming the role of President. This understanding was operative until December 1951. In the meanwhile Ibrahim's supporters in Poonch had been making trouble. The Pakistan Government were again about to intervene, and Liaquat Ali Khan was on the point of negotiation when he was assassinated. In December, Abbas, discontented with the frustrations of political jealousy, resigned and announced his intention of withdrawing from politics. Previously he had nominated Mir Waiz Mohammed Yusuf Shah as President of the Moslem Conference for the year. Yusuf had hitherto been more interested in religious speculation than politics. The Pakistan Government accordingly took advantage of the situation to ask Yusuf to form a government, a task which he undertook in some sense of duty.

For a time he successfully steered a caretaker government at Muzaffarabad. But in 1952 he abandoned the political contest and retired to live in Murree. Yusuf Shah's influence in his home town, Srinagar, in a small community of religious zealots is considerable. And so in retirement he undertook a certain amount of broadcasting to his compatriots on the other side. He has also started the first attempt to translate the Koran into Kashmiri.

Whether or not Ghulam Abbas intended to re-enter the political contest was not clear. In the spring of 1955 he was holding the important appointment of chairman of the Kashmir Refugee Council, in which capacity he dealt with both the Pakistan and Azad Governments on matters of refugee welfare and policy. For some time his followers seemed disinclined to allow his cause to lapse by default. From Lahore, one of his lieutenants, Chaudhri Hamidullah, at the head of the Moslem Conference Plebiscite Board (M.C.P.B.), carried on a campaign more of zeal than discretion.<sup>1</sup> The Indian Press were naturally quick to draw

<sup>1</sup> The Pakistan Government set up an official Plebiscite Board to undertake research for future purposes. The original intention was that the M.C.P.B. was to work in liaison with the official organisation. Apart from the M.C.P.B., the Kashmir Moslem Conference has its representation in Pakistan. Its agents tend to drift away from their official function and join forces with those organisations which draw confidence from pictures of imaginative Islamic blocs of powerful dimensions (e.g. Lahore 23rd January 1952. Sardar Mohd, Alam Khan, President, Lahore Circle, All-Jammu and Kashmir Moslem Conference. "The only course before us and the Moslems of Iran, Egypt, Morocco and Tunisia is to forge a united front against the Western imperialists who have always been using the Moslem countries for their imperialistic intrigues.")

attention to this trail of intrigue, and Pakistan officials admitted that the cause of Azad Kashmir for a time suffered through the narrow ambitions of poor leaders.

In 1952 Colonel Sher Ahmed, a native of Poonch, took over the Presidency from Mir Waiz Mohammed Yusuf Shah, and has ever since remained in office. Sher Ahmed, who held a commission in the Indian Army, distinguished himself in the Kashmir campaign as a tough leader in guerrilla warfare throughout 1947. He is a quiet, simple gentleman commanding respect. As President his role is to function as the bridge between his people and the Government of Pakistan, for which purpose he travels frequently to Rawalpindi or Karachi. Policy and diplomacy are regarded as his sphere, but he has no administrative responsibility. For this purpose he turns to Colonel Aaulat Khan, the Commissioner for Azad Kashmir.

It so happened that Aaulat Khan was the Chief of Staff of the State forces under Brigadier Scott in 1947. Deprived of his appointment in September 1947, he remained on in Srinagar, and was thus able to furnish me with valuable information concerning conditions in the State during the eventful days in October. As Commissioner controlling the three districts, Aaulat Khan could be regarded as the real administrator of the Azad State. In the war he had served with the 4th Jammu and Kashmir State Infantry in Burma, and he seemed to convey the confidence of a leader of men to his work at Muzaffarabad. Moreover, his experience as a previous servant of the Maharaja is obviously an asset in application to future possible situations.

Under the President were four Ministers<sup>1</sup> appointed on his nomination, two of whom represented interests in "Occupied Kashmir".<sup>2</sup> Their appointments had of course received the consent of the Pakistan Government. They were men chosen for influence rather than ability; though Khwaja Ghulam Mohammed, the young Finance Minister, whose father was a well-known Srinagar merchant, seemed to bring an active mind and higher education to the problem confronting the Ministry. If I had to criticise this isolated unknown Government, I would maintain that they were handicapped by the absence of a devoted Kashmiri from Srinagar at the head of affairs. A leader who has lost his home is more likely to strive for the reabsorption of lost territory than one who has lived all his life on the fringe. I would illustrate the point with a reference to its wider application. In my belief it is something of a paradox that whereas Mr. Nehru can claim a family association with Kashmir, Mr. Mohammed Ali's associations are with Bengal. Whatever

<sup>1</sup> Colonel Sher Ahmed—President

Chaudhri Abdul Karim

Raja Abdul Hamid

Khwaja Ghulam Mohammed—Finance

Pir Ziauddin—Education and Ecclesiastical Affairs.

Poonch

Mirpur

Muzaffarabad

Occupied Kashmir

Occupied Kashmir

<sup>2</sup> This is the term usually in use in Pakistan to describe the Indian portion of the State.

the legalities or moral issues may be, causes are usually the more effectively advocated by individuals with some personal claim to a stake in the interests involved.

It should be clearly understood that there is now a fundamental difference in the approach of the Pakistan Government to their responsibilities in Azad Kashmir, as compared with the Indian association with the Government of Jammu and Srinagar. Any attempt to achieve a formal accession of Azad Kashmir to Pakistan would be to confirm the division of the State. It would be difficult for Pakistan to blame India for consolidating her hold over Indian Kashmir if she herself employed the same method in relation to the Government at Muzaffarabad. And so a policy has been evolved by which the Pakistan Government maintains a friendly eye on a friendly satellite. The situation has placed both Governments concerned in some difficulty, in that the Muzaffarabad Government can only regard itself as a temporary measure pending the day when it will merge into an all-Kashmir Government in Srinagar. This raises problems such as the extent to which it should spend money on its own housing and the expansion of its own staff. It is accommodated in the old District Headquarters in modest rooms which open on to a veranda running round an open garden square. The whole lay-out rests on three or four terraces cut out of the mountainside, the front entrance facing the Kishanganga River at its junction with the Jhelum. In the centre is the guarded treasury which daily receives and issues cash in conjunction with a local branch of the State Bank of Pakistan. When I visited the offices an army of *malis* were feverishly laying out the terraced gardens; and who could blame the Government for the desire to make the most of so attractive an environment? Would not the crowded corridors in the City of London gladly have exchanged their tubular lights for the sight of a rose-garden in Muzaffarabad! Perhaps the nearest recognition of any permanency of the Azad State is the adoption of a State flag.<sup>1</sup>

What might be termed the "caretaker" policy also led to the accusation that the Azad Government was "unrepresentative". In July 1955 this particular charge was made by the Indian Home Minister, Mr. Pant. Yet representation means elections, elections presuppose an Assembly, and before we know where we are the whole machinery of government is involved whether there be only three districts or thirty. Azad Kashmir was certainly in no position to sustain such a luxury, which again would be an imitation of Indian methods which had been condemned.

Azad Kashmir covers an area of about 4,500 square miles with a population of some 900,000. The revenue, which is insufficient for its purposes, amounts to Rs. 6,500,00. Considerable subventions are therefore neces-

<sup>1</sup> In the right-hand top quarter the flag of Pakistan. In the left-hand top quarter a red square symbolic of Hindu and Sikh minorities. Below both quarters four horizontal white strips on green, representing the Kashmir rivers, Sind, Kishanganga, Jhelum, Chenab.

sary from Pakistan. A glance at the map reveals that the territory consists roughly of the previous districts of Mirpur and Muzaffarabad with the *jagir* of Poonch added. The administration thus comprises only three districts, the Poonch *jagir*, without the town of Poonch, being administered as a district. The poverty of the inhabitants scratching at their terraces on the mountain slopes was all too apparent. In the days of unity they were oppressed by a foreign dispensation. Now that the foreigners have gone, a more representative and conscientious administration has to labour without the economic advantages of united Kashmir. The soldiers have built them a few roads, and army mules eat the hay they can bring in. The Azad Government claim to be spending fourteen lakhs a year on education in their districts, as compared with eighteen lakhs spent in the old days over the entire State. There is talk of a hydro-electric scheme which would tunnel water through the hillside from the Kunhar River into the Kishanganga. A drop of 200 feet on the eastern side could then yield the power, and as there is bauxite in the hills, there is the chance of a local industry around Muzaffarabad. But until a few years of political confidence in the future with all the advantages of a united State, together with economic freedom of movement, can return, it is difficult to predict more than a standard of mere subsistence for the people of Azad Kashmir.



## CHAPTER SEVEN

### UNITED NATIONS INTERVENTION

**I**N the past there has been a tendency for one side or the other to claim the credit for the initial suggestion of international supervision of a plebiscite. With the passing of time it has ceased to matter who thought of it first; and a study of the various letters which were written hardly indicates a position in which one side proposed and the other refused. There were both qualified refusals and qualified acceptances. In fact the first opening proposal appears to be that of Lord Mountbatten on 1st November 1947<sup>1</sup> followed by Liaquat Ali Khan's acceptance on 16th November.<sup>2</sup> In turn Nehru accepted the plebiscite in his letter to Liaquat on 21st November.<sup>3</sup> But in a telegram to Karachi on 12th December Nehru retreated, conceding only a very limited scope for United Nations participation.

"... while we are prepared to invite U.N. observers to come here and *advise* us as to the proposed plebiscite, it is not clear in what other capacity United Nations help can be sought. . . . I confess, however, that I find myself unable to suggest anything beyond what I have offered already; namely, to ask the United Nations to send impartial observers to advise us regarding the plebiscite."

Observation and advice, but not control, was then the Indian interpretation. There were further exchanges, ending in a final Indian decision to submit the matter to the United Nations. But a fair conclusion is that United Nations participation grew out of the only common ground for agreement which could be found, however obscure might be the form it was to take. The story of international negotiation therefore starts early in 1948 with an Indian decision on 1st January to take the issue to the Security Council under Article 35 of the Charter.<sup>4</sup> Here indeed was little thought of a plebiscite. On the contrary, the intention was to have Pakistan severely reprimanded for assisting the tribesmen, such assistance constituting an act of aggression against India. If Pakistan did not comply "... the Government of India may be compelled in self defence, to enter Pakistan territory, in order to take military action

<sup>1</sup> See Chapter Four, p. 63.

<sup>2</sup> At a Press Conference on 16th November 1947. On 19th November in a telegram Liaquat Ali Khan said, "In view of the stand you have taken I see no other way to a peaceful settlement except a reference on the whole question to U.N.O."

<sup>3</sup> See Chapter Four, p. 63.

<sup>4</sup> The reporting of situations likely to endanger the maintenance of international peace and security.

against the invaders. The matter is therefore one of extreme urgency. . . ."<sup>1</sup>

The Indian complaint went on to elaborate the matters with which it desired the Security Council to deal, if its intervention was to be effective.

It will be recalled that December 1947 had not been a good month for India's Army in Kashmir. They managed to relieve Kotli, which had been hard pressed by raiders for thirty-one days; but apart from the initial advance from Srinagar, the Azad Kashmir troops were hitting back at many points along India's tenuous lines of communication. There was therefore some relief in Delhi at the Government's decision to take the matter to the Security Council.

On 15th January 1948 the Council heard Sir Gopalaswami Ayyangar present the Indian case, and on the following day they listened to Sir Zafrullah Khan's reply for Pakistan. The one bright feature among a crop of fresh accusations was the fact that both delegates seemed glad enough to unburden their woes to the Security Council. Ayyangar, accompanied by Sheikh Abdullah, who had been released from gaol, confined his argument to the presentation of a picture of the people of Kashmir rescued from the depredations of a desperate invader by the Indian Army. The first and last task of the Security Council was therefore to effect their withdrawal. He, however, threw some light on the previous conflict of intention. Concerning the future status of Kashmir he made this comment. "Whether she [Kashmir] should *withdraw* from her accession to India, and either accede to India or remain independent with a right to claim admission as a Member of the United Nations—all this we have recognised to be a matter for unfettered decision by the people of Kashmir after normal life is restored to them." So far as I am aware, this is the only occasion on which it was ever stated on the Indian side that freedom of choice would involve a definite *withdrawal* from accession. Furthermore, the recognition by the Indian delegate of a possible status of complete independence must have taken the Indian Government by surprise. Years later independence was the last development which they were prepared to countenance; and we can only suppose that in 1948 the suggestion was so improbable as to involve no risk in its proposal.

Sir Zafrullah Khan, in contrast, sought to cover the whole field of Pakistan's grievances, including India's failure to implement her financial obligations and her handling of the case of Junagadh State.<sup>2</sup> He asked

<sup>1</sup> Security Council Document 628 of 2nd January 1948.

<sup>2</sup> 8th February 1948. Sir Zafrullah Khan before the Security Council. Junagadh State, on the coast of Kathiawar, contained a Hindu population of 800,000 with a Moslem ruler. In September 1947 the ruler acceded to Pakistan. His subjects thereupon invited the Indian Army into the State. A plebiscite was held, 90 per cent. of the people voting for accession to India. India accordingly annexed the State, Pakistan protesting to the Security Council. The case is often quoted by

that the Security Council should extend its inquiry to cover all these matters. The sum of his argument concerning Kashmir was that the accession, together with the massacre of Moslems in East Punjab and the neighbouring Sikh and Hindu States, were factors in one vast plot. He concluded with a suggestion that India's appeal to the Security Council was due to the failure of her Army to enforce a decision. In this there was certainly an element of truth. In the opening presentation Sir Zafrullah Khan may well have overplayed his hand. Dramatic and startling accusations exposing Indian leadership as a diabolical tyranny seeking its satisfaction through blood were not likely to impress the Security Council. His tendency to excessive length was also a handicap. Nevertheless, he appeared more confident of his case than his Indian opponent. His concluding speech, which lasted five hours, was a plea for the voice of the people of Kashmir to be heard without any kind of pressure exerted from any direction. In enumerating the several types of forces which might ensure a complete freedom of choice, it is interesting to note that he included Commonwealth forces, thereby anticipating a suggestion which three years later was to come from Mr. Menzies at a Commonwealth Conference.

Though the two advocates had spoken with little evidence of toleration, there was hope in that they both welcomed the prospect of United Nations intervention. On 20th January the President therefore announced that India and Pakistan had agreed to the appointment of a commission to mediate between them. Both countries would choose one member, and the countries chosen would then select a third—a method which was later discarded in favour of the appointment of a large commission. Joseph Korbel records these developments as a minor success. The three-member commission was "to proceed to the spot as quickly as possible" and attempt to pour oil on troubled waters. The resolution discreetly avoided awkward questions and was adopted by nine votes, the Soviet and the Ukraine abstaining. Korbel placed much significance on the proposal and deplored the failure to carry it out.

"It is tragic, in retrospect, that such a commission as was agreed to was not constituted and dispatched to the sub-continent without

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supporters of Pakistan, as being analogous to Kashmir. In fact, the analogy is not entirely apt. Junagadh was surrounded on three sides by India, and on the fourth side lay the sea. The State looked to India for its economic and political survival. Kashmir, in contrast, lay outside either India or Pakistan and had a common frontier with both. The same conditions apply to the analogy of the great State of Hyderabad, which was an island in a sea of Indian territory. A more relevant comment might be that, in view of subsequent developments in Kashmir, Mr Jinnah would have been extremely wise to have forgone all claim to Junagadh. How much more would his hand then have been strengthened when it came to negotiating on Kashmir with the Indian Government, whose action in Junagadh had admittedly not been constitutional.

delay. Even if it had not been able to stop the fighting in all probability the Commission could have prevented, through its mere presence in Kashmir, the spring offensive and the continuance of large-scale operations. But this was not done—and the United Nations documents do not offer an explanation for the omission. Inevitably the bitter wrangling broke out again in an intensified form.”<sup>1</sup>

In the meanwhile the Council made efforts to effect a direct agreement between the representatives of the two countries. Abdullah himself was now available to present the Kashmir case. But it was not a very conciliatory argument. He had not a magic lamp, he said, with which to discover what Pakistan had done and was doing in Kashmir, but he could assure the Council that “the souls of Hitler and Goebbels have transmigrated to Pakistan”! He said that when the Kashmiris had gained their freedom it would be for them to vote on the question either of accession or independence. Again the reference to independence, as coming from Abdullah, seems at that early stage to have attracted surprisingly little attention. Others have turned it over in their minds, but almost certainly with different interpretations of its meaning. As to the effect that Abdullah made, compared with the polish and subtlety of Zafrullah and Ayyangar, he was devoid of diplomacy and crude in approach, failing to appreciate that the oratory which would swing Kashmiri peasants was hardly suited to the sophistication of an international forum. He seemed concerned to impress the Council with his power and prestige in Kashmir, resisting any suggestion that his administration should be suspended or limited for the purposes of a plebiscite.<sup>2</sup>

There followed exchanges between the Security Council and the two delegations which only served to lay the foundations of disagreement on lines which have become familiar. It is of interest to note that at this early stage Ayyangar put forward the proposal for a National Assembly in Kashmir under Sheikh Abdullah's administration. A new Government would then frame a new constitution and arrange the plebiscite. He repeated Nehru's acceptance of United Nations intervention in the form of observation and advice. In contrast, the Pakistan view was that before any further steps were taken, agreement on the plebiscite must be obtained. Meanwhile the fighting would continue. A feature of Ayyangar's presentation was his constant emphasis on haste. It was clear that to achieve a cease-fire was uppermost in his mind. “We seem here to be fiddling while Rome burns.” The cynic would be tempted to-day to add that once Rome had ceased to burn, the fiddling could apparently continue. Ayyangar also was anxious that, where peaceful measures failed, there remained “the obligation of the Government of Pakistan to resort to measures of war against these tribes-

<sup>1</sup> *Danger in Kashmir*, Josef Korbel, Chapter 5, p. 104.

<sup>2</sup> Sheikh Abdullah, 4th February 1948, S.C.O.R., Third Year, Nos. 16-35.

## TWO NATIONS AND KASHMIR

men".<sup>1</sup> For a few days the assassination of Mahatma Gandhi in Delhi on 30th January 1948 silenced all argument. But it proved only of passing effect, and as the inquiry continued the sympathies of the Council noticeably moved towards the Pakistan case. Certainly, so far as the United States were concerned, Mr. Warren Austin left no doubt in the minds of the delegates as to where his sentiments lay.

On 6th February 1948 the Council, still hoping for a direct agreement, invited the assistance of the President, General McNaughton of Canada and Mr. Van Langenhove of Belgium. But the deadlock was complete. Sir Gopalaswami Ayyangar, on behalf of India, refused to abdicate responsibility for the maintenance of law and order by withdrawing Indian troops when the fighting ceased. They would remain in Kashmir until the plebiscite had been held. He then asked for an adjournment in order to return to India to consult with his Government.<sup>2</sup> Although the initial submission by India had been favourably received, a second impression of this first skirmish seemed in favour of Pakistan. The Council was not disposed to take action against Pakistan and effect the withdrawal of her forces without reference to the conditions of an eventual plebiscite.

It was clear that the manner in which the Indian case was being presented was receiving criticism in India, hence Ayyangar's hasty departure. The adjournment was not popular with the Security Council, members finding it difficult to reconcile the request with Ayyangar's previous references to the overwhelming urgency for action and settlement. Apart from the Soviet and the Ukraine, the one representative who seemed disposed to support the Indian case at this stage was, paradoxically, the Chinese Nationalist, Mr. T. F. Tsiang.

The Indian delegation was not to return until 8th March, when there followed a spate of draft resolutions from various members of the Council. From these on 21st April there finally emerged the resolution setting up the United Nations Commission of five, which was to proceed immediately to the Indian sub-continent to undertake the thankless task of effecting a cease-fire and "facilitate the necessary measures" for a plebiscite. This time only the Soviet and the Ukraine registered their routine abstention.

With so much important documentation to record, it is unnecessary to set out the first attempt of the Security Council in full. There were two distinct sections under the headings of "A: Restoration of peace and order", and "B: The plebiscite". Under the first heading the Pakistan Government were asked to secure the withdrawal of tribesmen and Pakistanis in support of tribesmen, and to advertise the various measures which would follow to ensure a free plebiscite. At this stage the presence of Pakistan regular forces on Kashmir soil had not attracted attention, nor indeed were any appreciable numbers yet involved.

<sup>1</sup> S.C.O.R., Third Year, Nos. 1-15.

<sup>2</sup> 8th February 1948.

The instructions to the Indian Government were more complicated. When it was established that the tribesmen were withdrawing, Indian forces were to be progressively reduced "to the minimum strength required for the support of the civil power in the maintenance of law and order". Forces remaining were then to be so disposed as to make it impossible for them to intimidate the inhabitants of the State. Locally recruited forces were to be responsible for the establishment of law and order as the Indian Regular troops withdrew. The Commission would have power to call on the forces of either Dominion if locally raised forces proved inadequate.

The second section covering the plebiscite was extremely involved. The principle developed was that the State Government should set up the plebiscite machinery which would then be taken over by a nominee of the United Nations Secretary-General. The latter, acting as a servant of the Kashmir Government, would appoint his own assistants. The Government of India were to support the plebiscite administrator in every aspect of his task and protect him and his officials from intimidation and bribery. They were also generally to "sell" the conception of a plebiscite with the complete freedom of choice implied, to all State subjects. Indians who had entered the State since 15th August 1947 and who were not normal residents were to withdraw. Some idea of the cumbersome terms will be indicated in quoting the manner in which a coalition administration was to be set up.

"The Government of India should undertake to ensure that the Government of the State invite the major political groups to designate responsible representatives to share equitably and fully in the conduct of the administration at Ministerial level, while the plebiscite is being prepared and carried out."

In a general provision India and Pakistan were each invited to nominate a representative to be attached to the Commission, the latter being empowered to appoint observers to watch over its work.

In fact, the provisions for the holding of a plebiscite were careful and necessary. But at that stage, the length at which they were elaborated, with their detailed instructions to the Indian Government, was unlikely to be welcomed in Delhi. Nor was there any noted approval in Pakistan. The Pakistan Press had hardly settled down to a responsible appraisal of the international scene, so that a tendency which had been apparent in India, to speak of the Soviet as the champion of international justice, was for a time also to govern the attitude of the Karachi newspapers.

Certain features of the Resolution should be noted. First, that if it was clumsy diplomacy to dot i's and cross t's, nevertheless it set the pattern for future thinking and elaboration of plans. Secondly, it made no attempt to moralise or offer judgment. There was no comment on the legal issue of technical accession to India, nor was Pakistan condemned as an aggressor. Such matters were presumably regarded as more

appropriately within the sphere of inquiry by the International Court of Justice. Thirdly, acting as it did under Chapter VI of the Charter, the Security Council could only say what *should* be done. Its recommendations were therefore but pious hopes, depending on their acceptance by the two parties concerned. Had the Security Council been in a position to enforce their decisions they could have framed their resolution within the scope of Chapter VII of the Charter, which deals with threats of war. There had certainly been sufficient war fever in the neighbourhood of Kashmir to justify preventive action and call on member nations to come to the support of the United Nations. Indeed, had the Council been considering the problem two months later, when the commitment of Pakistan's Regular Army was common knowledge, it is difficult to see how consideration of action under Chapter VII could have been avoided. But, bearing in mind the number of occasions on which the United Nations have been incapable of implementing their own decisions, we can only conclude that on this occasion there was not—nor can there ever be—a time when the United Nations will attempt to control the Kashmir situation by force, for the purpose of seeing its wishes carried into effect.

At the time it was certainly wise to leave negotiation with the Security Council rather than turn to the International Court of Justice. Once the issue was removed from the sphere of diplomacy into the strait-jacket of a legal inquiry ending in a judgment, there was the danger that one side or the other would turn sour, nursing its grievance not only against the successful party before the Court, but also against the whole representative community of the United Nations. The Kashmir problem could hardly be solved in a court as if it was just another Norwegian fishery case. That is not to say that a final reference to international justice might not be desirable. But it can and should only be the last measure, when all else has failed.

It is to be noted that throughout this period the Soviet Union was content to abstain. It would seem that either there was a desire not to antagonise India or Pakistan, or that, with some intuition, it was realised that the situation would deteriorate, offering later opportunities for furthering Soviet interests in so strategic an area.

There followed a regrettable delay before the United Nations Commission came together to embark on its task, and it was not until 15th June 1948 that it met at Geneva. There were Englishmen who must have smiled sadly as they watched the representatives of Latin America and Europe seeking to get on level terms with a problem which might have been regarded as a British preserve.<sup>1</sup> Some of those appointed may well have hurried to the map to identify Kashmir, while few could have had any understanding of communal conditions on the sub-continent.

The United Nations Commission finally set out for Karachi by chartered

<sup>1</sup> U.N.C.I.P. (United Nations Commission for India and Pakistan). For composition, see Appendix VII.

plane on 5th July. Meanwhile the pattern of military operations had produced a *fresh element of serious embarrassment* since the Commission's appointment. This was the fact that in May 1948, for the first time in fear of a threat from India's Regular Army, Pakistan had moved units of her Army into Kashmir. This was the grave news which Sir Zafrullah Khan conveyed to the Commission soon after they landed in Karachi. The reasons for Pakistan's action have already been given. They were now explained at length to the Commission with Sir Zafrullah's forceful and compelling skill. The Commission made no comment. Nor in fact in this first experience of Karachi were they able to get to grips with the problem. On at least one public occasion they sensed doubt and suspicion, while a first interview with Liaquat Ali Khan proved only an opportunity for courtesy exchanges. Mr. Jinnah, the Governor-General, was at this time a sick man nursing his health up in Ziarat in the hills above Quetta; and the Commission were never to have the privilege of meeting him.

It was thus in no buoyant mood that they flew on to Delhi to be greeted by the blazing heat of an Indian summer. Here there was the same reluctance to mention Kashmir. Polite but guarded co-operation seemed the most which could be expected, and it was not until 13th July that Sir Girja Shankar Bajpai, Secretary-General of the Ministry for External Affairs, accepted an invitation to place the Indian case before the Commission.

It was my good fortune to meet the late Girja Shankar Bajpai on two occasions. I was then able to understand the reputation which he had built up over many years for a clarity of mind and expression only matched by his polish and appreciation of the art of hospitality. No man valued more the age of elegance. It was with some surprise that I read of the vehemence with which he stated his case. Pakistan was now without question an aggressor and it was the Security Council's clear duty to declare Pakistan's guilt.

"... If the future of Jammu and Kashmir was to be determined by the arbitrament of the sword, then, without in any way wishing to utter a threat, or in the language of menace, I should like the Commission, as realists, to recognise that the offer of a plebiscite could not remain open. If Pakistan wanted a decision by force and that decision went against Pakistan, it could not invoke the machinery of the United Nations to obtain what it had failed to secure by its chosen weapon of force . . . the sands of time are running short: if the problem is not resolved by reason, the sword will find the solution."<sup>1</sup>

These were fierce words, far removed from India's subsequent proposals for a "no-war" declaration. But they fairly reflect the mood in

<sup>1</sup> *Danger in Kashmir*, Chapter 6, p. 124.



Delhi at the time. Condemn aggression, and only then would there be a chance for the Security Council resolution.

In a long and rather rambling interview with Mr. Nehru the Chairman of the Commission records how they talked round the problem always returning to the same point. ". . . and Pakistan must be condemned. I do not require any solemn formal verdict, but a clear declaration about the Pakistani Army's presence in Kashmir and its withdrawal."<sup>1</sup> It seems curious that at this stage, although the Commission had had Sir Zafrullah Khan's own admission of the use of regular troops, the public were unaware of the position. It is for consideration as to whether some statement of the facts by the Commission with a carefully worded reproof of Pakistan from the Security Council might not have initiated a measure of Indian co-operation at this stage. The risk was that in turn Pakistan's co-operation would be lost. But if there could have resulted some immediate understanding of an Indian withdrawal, the loss might well have proved of a temporary nature. The historian is allowed the luxury of speculation. Yet we cannot but sympathise with the Commission in their difficulties. They had no mandate to judge. They had to start from the existing situation, attempting a reconciliation; and the situation which they discovered was not that which had been expected.

Reading Joseph Korbél's detailed description of his interview with Nehru, it is possible to sense the early formulation of the Indian argument. The year was 1948. Yet Nehru was then speaking of a plebiscite which could only take place "one year after the cessation of hostilities". His reaction to a suggestion that some gesture of concession to Pakistan might be made was violent.

"You seem not to understand our position and our rights. We are a secular State which is not based on religion. We give to everyone freedom of conscience. Pakistan is a mediæval state with an impossible theocratic concept."<sup>2</sup>

Had the Indian case always been presented as a matter of secular principle in conflict with the theocratic State, I have a feeling that the sympathies of a great community of intelligent observers all over the world would have supported India. The moral appeal rather than the legal exposition might have been the answer to Sir Zafrullah Khan's relentless advocacy. We should remember that Indian articulate opinion had not as yet become accustomed to the fact of Pakistan. Partition had been resisted by Indian leadership until the last. "It is with no joy in my heart that I commend these proposals", had been Pandit Nehru's verdict in June 1947 when presenting the plan by which the country was to be divided; and so inevitably throughout 1948 it was too soon for India to take Pakistan seriously. The result was that while the Commission

<sup>1</sup> *Danger in Kashmir*, Chapter 6, p. 129.

<sup>2</sup> *Ibid.*, Chapter 6, p. 130.

## UNITED NATIONS INTERVENTION

itself warmed to its task and assumed every appearance of a team working in devotion to a cause, the two disputants remained in mutual isolation. More tragic was the drift up in Kashmir itself, where the National and Moslem Conference parties had abandoned all attempts at meeting each other. Joseph Korbel's comment on the situation is provocative.

"Sheikh Abdullah secretly indicated his willingness to meet the leader of Azad Kashmir, but the Commission was unable to move in this direction, knowing that it would be accused by the Government of India of intrigue."<sup>1</sup>

It is difficult to believe that Indian leaders would deliberately have prevented Kashmiris from meeting each other had the prospect been explained, with all that it implied. To have refused would have been to forfeit all claim to statesmanship or normal political morality; and we cannot help regretting that this particular avenue was not more fully explored in 1948.

It was at this comparatively early stage that the possibility of a form of partition was vaguely discussed in unofficial exchanges. But it proved too soon for either Pakistan or India to forgo the full award of the greater Kashmir. Certainly the Moslems were not prepared to consider more than the surrender of the south-east portion of Jammu Province. Nevertheless time was passing, and as yet the world outside had heard nothing of the progress of negotiation. In the meanwhile the Commission had listened patiently to a detailed defence of Pakistan's use of her Army from General Gracey. The refugee problem, the threat to Pakistan's security and the danger to her canal waters were points which the Commander-in-Chief elaborated. He also drew attention to a new aspect of India's advance, which was the danger of an Indian link-up with Afghanistan through the extension of India's armed forces to the northern extremities of Kashmir. If India was to reach Hunza, Nagar, and Gilgit, there would in fact be established a common India-Afghanistan frontier of some 50 miles. Again, the danger was almost certainly fictitious. But at that period General Gracey was bound to take note of it. The movement known as "Pukhtoonistan" is discussed elsewhere. Here we should only recall that in essence it amounts to a suggestion that there has been an understanding between India and Afghanistan for the encouragement of a tribal autonomous State on the North-West Frontier at the expense of Pakistan. If Afghanistan and India were actually in physical contact through Kashmir, Pakistan could claim to be the victim of a "pincer" operation.

The Commission heard the arguments in sympathy. It was, however, finally indicated to Pakistan that the time had come for some public statement, that the entry of troops into Kashmir without invitation could not be regarded as reconcilable with international peace and security and

<sup>1</sup> *Danger in Kashmir*, Chapter 6, p. 133.

that some mild indication of disapproval would be necessary in any resolution framed. In these circumstances the Commission prepared and published their first resolution of 13th August 1948. This, with their subsequent resolution of 5th January 1949, was to prove their main contribution to a Kashmir settlement.<sup>1</sup> Together these two resolutions provided for the demilitarisation of Kashmir, pending a plebiscite, in two stages. The presence of Pakistan regular troops on Kashmir soil was tactfully recognised as a "change" in the situation since the initial presentation of the Pakistan case. The first stage should therefore be the withdrawal of the Pakistan troops, the Pakistan Government using its influence to effect a similar withdrawal of the tribesmen or anyone else who had entered the State for fighting. The Commission would then report the completion of this process to India, who would proceed to withdraw the bulk of her own forces. Certain regular forces, however, were to be left behind by India to assist local authorities in the maintenance of law and order. On the Pakistan side the territory evacuated was to be administered by the local authorities under the supervision of the Commission. The accession of Kashmir to one State or the other would subsequently be settled "through the democratic method of a free and impartial plebiscite". The pattern of this plan has remained unchallenged in the subsequent years. A "truce" period has been recognised as covering the withdrawal of troops, whether effected in one or two stages, to be followed by the "plebiscite" period. During the latter period the plebiscite administrator would be empowered to direct the final disposal of all forces remaining in the State for the plebiscite, an arrangement which, as will be seen, was open to different interpretations.

India and Pakistan accepted these resolutions in substance. But it was one thing to accept the principle, and quite another matter to agree on the detailed method of carrying out the necessary measures. India, for instance, wished to leave behind troops to control the northern passes into Balistan and Astor, and demanded the disbandment of the Azad forces rather than their withdrawal. Nor did a joint letter from Mr. Truman and Mr. Attlee to Pandit Nehru in any way soften the Indian approach. Nehru's difficulties must be appreciated. He was under heavy fire from the Hindu Mahasabha, who had attacked his Government for their handling of the campaign. In their view the fighting should never have been carried into the snow-clad hills. For them the home of the enemy in the plains was the correct objective. Kashmir was part of "Bharat Mata". Under pressure of such irresponsible raging, Nehru himself was rash enough at Allahabad in September to claim Kashmir as "part of India". Why, then, had he accepted the United Nations Commission's two resolutions of August 1948 and January 1949? Was it wise to admit four Kashmiri

<sup>1</sup> The two resolutions are reproduced as Appendices VIII and IX.

sentatives to the Indian Constituent Assembly after the principle of a Kashmir plebiscite had been accepted?<sup>1</sup>

I have indicated the broad pattern of procedure envisaged in the two resolutions. But some elaboration of the tortuous negotiations which accompanied their acceptance will help to an understanding of subsequent developments. Immediately after the publication of the resolution of 13th August there followed the task of clarifying its terms. The Commission divided and were submitted to a searching cross-examination in both Delhi and Karachi. Sir Zafrullah Khan's queries were even more harassing than those of Pandit Nehru. Every conceivable doubt and interpretation was subject to scrutiny. The integrity of the Commission themselves was never questioned, the attacks of both sides merely reflecting the depth of their mutual distrust by each other. There was evident also a common lack of confidence in the power and authority of the United Nations. Suggestions that the weight of international opinion would never permit either India or Pakistan to execute a double-cross were received in cynicism. India recorded her formal acceptance on 20th August, but the Pakistan reply was not forthcoming until 6th September. When it came it included many reservations, the most important being the absence of any guarantee of a free plebiscite.<sup>2</sup> The intention of the Commission had apparently been primarily to effect a cease-fire. Negotiation over the plebiscite was to follow. Pakistan, however, felt that with only the cease-fire achieved, India would forget the *raison d'être* of negotiations and consolidate her position. The subsequent years were to prove the accuracy of this appreciation.

In disappointment the Commission visited Kashmir, Mr. Huddle going to the Azad side, Mr. Korbel proceeding to Srinagar. Korbel found Sheikh Abdullah disinclined to co-operation. He had resented the fact that negotiation had not been initiated on his own soil, and said so in no uncertain terms. Later, however, he thawed, and in a long interview he spoke of the various alternatives which faced him. He expressed his willingness to meet Ghulam Abbas, with whom he had previous ties of friendship which should have been cemented in an

<sup>1</sup> In taking note of this, U.N.C.I.P. reported that India's action was undesirable, but difficult to oppose on legal grounds. The Belgian representative submitted a minority opinion, adding that if this led to elections in Kashmir in the parts under Indian control there would be grave consequences. Eventually the Kashmir Constituent Assembly on 25th March 1951 elected ten persons to represent the State in the Indian Parliament; four for the Council of States and six for the House of the People. These included three nominations of individuals normally living in the Pakistan-held areas and four who were not members of the National Conference Party. For the Council of States, two members are Moslems and two Hindus. All the Kashmir representatives are technically nominees of the President of the Indian Union on the recommendation of the Kashmir Government.

<sup>2</sup> Part II of the Resolution merely asked both Governments to reaffirm their agreement that the future of Kashmir would be determined according to the will of the people.

experience of common suffering. Having discussed his dilemma he made a statement which appears astonishing, bearing in mind the position in 1948. "There is in my opinion only one solution open. That is the division of the country."<sup>1</sup> It is also of interest that throughout this interview he approached his topic as if accession was equally feasible either to India or Pakistan.

Members of the Commission were naturally anxious to obtain some indication of the feelings of the people of the valley, in whose interests there was so much profession of intention and who are repeatedly forgotten in the game of Delhi-Karachi negotiations. Visits were arranged outside Srinagar. Unfortunately there was evidence that, in the manner of totalitarian technique, the "spontaneous" welcome of the crowds was little more than an organised façade. As far away as Baramulla there was evidence that the population were under official pressure, unable to express their real views. In contrast in Srinagar itself there seemed no doubt of the complete acceptance of Abdullah.

The Commission spoke with officers of the Indian Army, who did not conceal their contempt for Abdullah's Government. They also had words with Indian troops from more distant areas in India, many of whom confirmed their complete disinterest in the fate of Kashmir.

On 21st September 1948 the Commission left Srinagar for Geneva, there to prepare their first report to the Security Council. The death of Mr. Jinnah had left Pakistanis in gloom, but in even greater determination to stand together for their cause. This could hardly assist the task of the Commission; nor were they encouraged by a bitter attack from Sardar Patel, the Indian Deputy Prime Minister, on the United Nations in general and the Security Council in particular. Back in Geneva, they set themselves the task of making good the omission of the arrangements for a plebiscite, thereby hoping to secure firmer support from Pakistan. In fact when the second resolution was finally ready it was seen to contain several points of concession to India.

The resolution in effect defined the principles for the holding of a plebiscite and for the appointment of an Administrator. Indian susceptibilities were given every consideration. For example, the Administrator was to be formally appointed by the Government of the State after nomination by the United Nations, and in no way was the machinery of the Kashmir Government to be restricted or interfered with. The Colombian delegate of the Commission had returned to the sub-continent in December,<sup>2</sup> and in conversation with Mr. Nehru on 20th and 22nd December was able to reassure him on certain points.

"Pandit Nehru expressed concern as to whether the proposal did not exclude the possibility of seeking other methods for ascertaining

<sup>1</sup> *Danger in Kashmir*, Chapter 6, p. 147.

<sup>2</sup> The "Principles for the Plebiscite", which were subsequently embodied in the resolution of 5th January 1949, were not finalised until 11th December 1948.

the wish of the Kashmir people, if the holding of a plebiscite should prove to be impossible, though he insisted that the Government of India still adhered to this method.”<sup>1</sup>

I quote from Mr. Korbél's work. The indication is that at a very early stage mental resistances to the plebiscite were being built up. In Pakistan the appointment of the administrator “as soon as possible” was urged. Despite these doubts both India and Pakistan finally recorded their acceptances of the new resolution, the former on 23rd December, the latter two days later. At this point I draw attention to some doubt as to the credit for the actual “cease-fire”. Korbél takes the view that the order was the result of the determined negotiations by the Commission. The Commission “ordered a cease-fire” in Kashmir effective one minute before midnight, 1st January 1949”. There was relief at last to be found from fourteen months of fighting. Elsewhere I have indicated a different interpretation.<sup>2</sup> The proposal to cease fighting was there in the background. The opportunity could therefore be taken without loss of face. But the choice of the occasion was that of the commanders of the two armies. This appears to be the fair way of regarding these developments.

When the resolution of 5th January 1949 was published it was seen to contain the full details of the principles necessary for a plebiscite.<sup>3</sup> The Administrator was to be “a personality of high international standing and commanding general confidence”. I have always understood that not only did the American, Admiral Nimitz, fully fulfil these qualifications but that from a distance he took every possible measure to acquaint himself with conditions in Kashmir, historical, geographical and economic, no less than the contemporary political story.

On 10th September 1949 U.N.C.I.P. proposed Admiral Chester Nimitz as an arbitrator, adding that his decision would have to be accepted as binding. India immediately objected, saying that this would tend to reopen questions which had already been settled, such as the disbanding of the Azad forces. The truth was that the Commission had worked themselves into an ambiguous confusion over this particular question, India believing that the Commission had agreed to the disbandment of the Azad forces and the handing over of their territory to Abdullah as the appropriate “local authority” for administration. Pakistan, in contrast, placed a quite different interpretation on the intention, believing that the Azad forces could remain on the ground to hand over to the Azad Government before withdrawal. In admission of failure and frustration, the Commission, in their third interim report in December, asked the Security Council's Canadian President, General McNaughton, to take up private discussions with the contestants. Sheikh Abdullah and Sardar Ibrahim accordingly both travelled to Lake Success.

<sup>1</sup> *Danger in Kashmir*, Chapter 6, p. 152.

<sup>2</sup> See Chapter Five, p. 73.

<sup>3</sup> See Appendix IX.

General A. G. L. McNaughton, whose term of the presidency expired at the end of the year, was prevailed on by the Council to continue his efforts to arbitrate into 1950. McNaughton's suggestions were for a progressive withdrawal of the regular armies and the disarming and disbandment of the Azad forces. Admiral Nimitz would then work with the Azad Government on one side of the dividing line and with Abdullah's Government on the other. India objected that this would condone the original Pakistan aggression, would limit Abdullah's authority, and ignored India's claim to the northern passes. Pakistan accepted the proposals, holding herself responsible for the disarming of the Azad forces.

On 6th February 1950 Nehru in Delhi permitted himself a comment, ominous and familiar in another context. "My patience is getting exhausted," he said! McNaughton's patience apparently was exhausted, for the following day he reported his own failure. The most formidable of India's objections had been her refusal to recognise any administration in the northern areas except that of Abdullah as the lawful authority for carrying on the administration. The "defence" of the area—a loose term open to several interpretations—should be vested in the Government of India.

Early in February 1950 Sir Benegal Rao took charge of the Indian case at Lake Success. A greater sense of urgency possessed the Council, but by now the feeling was abroad that the obstacles to progress which India was increasingly discovering derived from motives which were obscure, and therefore not above suspicion.

The next attempt at settlement arose from a resolution at Lake Success sponsored by the curiously mixed family of the United States, Britain, Cuba and Norway. Their proposals were based on General McNaughton's negotiations, to which they appeared to adhere closely. The progressive withdrawal was to be effected over a period of five months, and Sir Owen Dixon, a Judge of the Australian High Court, was charged with the task of demilitarisation. Both India and Pakistan accepted the resolution on 14th March, so that demilitarisation was due to be achieved by 14th August. Sir Owen's appointment was announced on 12th April, and a rare optimism for a time was injected into the discussions. *The Times*, reflecting the new sense of hope, wrote, "The way should now be prepared for Admiral Chester Nimitz to take up his functions as plebiscite administrator. British efforts behind the scenes have contributed to the happy outcome."

The terms of Sir Owen Dixon's appointment set the plebiscite as the main objective. But, in the nature of an afterthought, he was empowered to "make suggestions at variance with that objective" if he felt the plebiscite to be impracticable. In other words, the possibility of some form of partition as a last solution was not excluded, an aspect which was resented by Pakistan, who held to the mutual acceptance of the plebiscite as the one common denominator over many months of dis-

agreement. Solution by partition was, however, not seriously advanced at this stage, and it remains to be seen if, with the prospect of eternal frustration and the consolidation of the areas already held by the two contestants, this logical form of settlement may come forward again for serious discussion. I shall return to the issue before closing the story.

By the end of July Sir Owen Dixon had exhausted his inquiries. He had travelled by car and jeep over much of the country and flown over the northern areas. His final conference with Liaquat Ali Khan and Nehru had failed. On 22nd August he issued his gloomy statement: "I have come to the conclusion that there is no immediate prospect of India and Pakistan composing any of their differences over Kashmir. No purpose can be served by my remaining longer in the sub-continent." He had in fact examined the possibility of partition. He had thought that if each side could agree to absorb those areas where the wishes of the inhabitants were known, the way might then be left for a plebiscite in the residual territory. But since the nucleus in dispute proved to be the Vale of Kashmir itself, negotiation failed, because both sides regarded this central heart, with its 1,800,000 inhabitants, as a prize equal in value to the whole of the rest of the State. After thanking both Governments for their kindness and courtesy, Sir Owen regretted that the one element which had been missing in his mission had been any positive proposal from the Governments themselves. He then recommended them to return to the barren consolation of their own ways and means. He had made a gallant and determined effort, but the conclusion undoubtedly appeared in the nature of an anticlimax. This first statement, written before the detailed report, held one useful feature, in that it gave the Security Council fresh food for thought. Was some form of partition, after all, so improbable? It had one great merit. It would obviate those mass movements of refugees which any total award resulting from an overall plebiscite would be bound to engender.

On the sub-continent Sir Owen Dixon's failure was at first more deeply resented in Pakistan than in India. This was natural. Throughout the hazards of negotiation, the spokesmen of Pakistan had repeatedly accepted international or Commonwealth proposals, while India had refused them. It was the exhaustion of Pakistan's patience which frankly seemed to carry the greater sanction. The fact that India held so much of the territory in dispute only added to Pakistan's frustration. Sir Owen Dixon, it was said in Karachi, had convicted India but punished Pakistan. In the circumstances the bazaar rumours of a fresh *jihad* were regrettable but hardly unexpected. More formidable was a certain amount of wild talk of the need to seek new alliances and to consider the abandonment of the United Nations.

The publication of the detailed Report added fuel to the fire. It appeared to recommend the acceptance of the existing cease-fire line as the starting point for partitioning the State. For the Pakistan Press it displayed also an unwelcome readiness to describe the tribal invasions

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of 1947 and the subsequent use of Pakistani troops in 1948 as contraventions of international law. In fact, Sir Owen Dixon had never offered unqualified condemnation of Pakistan as an aggressor, and Sir Zafrullah Khan was himself later able to shed light on Dixon's attitude. Sir Owen, he pointed out, had, as a matter of practical convenience and in order to make any progress in negotiation possible, been prepared to assume a *de facto* act of aggression.<sup>1</sup> This was a very different matter from a verdict pronounced after judicial investigation, which was no part of his commission. Nevertheless, the less responsible elements of the Pakistan Press readily fanned the flames. It was therefore with relief that an anxious public within Britain and the Commonwealth read of Liaquat Ali Khan's sound and steadying survey in the Pakistan Assembly on 5th October. He pointed out that it was unfair to judge the Security Council before it had acted. The Council could not and would not divest itself of its responsibilities: but if it was again to refer the matter to arbitration, then the decisions of the arbitrator must be enforced. The machinery of enforcement is, as we know to our cost, a very nebulous factor in international negotiation. There would seem little prospect for an arbitrator's solution which, however just, is so fraught with practical difficulty in its implementation.

The venom was reserved for the Prime Minister of India. "The world now knows what value to attach to his oft-repeated advocacy of self-determination for the peoples of Asia." Here was bitterness likely to attract attention in a wider circle of international debate.

But Sir Owen Dixon's efforts, though ending in failure were valuable if for no other reason than as a very significant piece of evidence on record. It had been claimed that the true mind of the Kashmiri could never be known while troops either of India, Pakistan, or the State Militia were on his doorstep. Writing as an international observer Sir Owen made the point clear in the following terms:—

"I had formed the opinion that it was not easy to exclude the danger that the inhabitants of the Valley of Kashmir would vote under fear or apprehension of consequences and other improper influences. They are not high-spirited people of an independent or resolute temper. For the most part they are illiterate. There were large numbers of regular soldiers, of the Indian Army as well as of the State Militia and Police and more often than not they were under arms. The State Government was exercising wide powers of arbitrary arrest. These are not matters that the Kashmiris inhabiting the valley could be expected to disregard in choosing between voting as the Government of Kashmir asked them and voting for accession to Pakistan."

These are views which will be endorsed by all who knew Kashmiris. In doing so we need cast no reflection on Indian troops themselves. It

<sup>1</sup> Sir Zafrullah Khan, Security Council, 6th March 1951.

is their presence and not their behaviour which operates for the intimidation of a timid community.

There followed a long delay of two and a half months before the Security Council again displayed interest in the Kashmir question, a delay which only served to emphasise the failure of the Council at the other end of the world to appreciate the international significance of events in this most beautiful of Asia's isolated potential Utopias. Mr. Mohammed Ali, Secretary-General of the Pakistani Government, returning from Lake Success to Karachi, told of a new plan round the corner, but its discussion was to be postponed pending the meeting of the Commonwealth Prime Ministers in January 1951 in London; and in the meanwhile it was known that Liaquat Ali Khan intended to raise the question at that meeting.

The effect of wearisome delay was beginning to be felt in the arena of international power politics. At a time when a united voice on the great sub-continent could have played its part in Asian affairs, and more particularly in the political background to the Korean war, the two countries were, through mutual dissension, losing prestige and authority. It was at this stage in the last days of December that the British Government seemingly quibbled over the propriety of the Commonwealth Prime Ministers taking up a matter of domestic disagreement. It just was not done, was the attitude: and very naturally Pakistan's Prime Minister stated that the Conference therefore held no interest for him. Scruples were finally overcome by arranging for Kashmir to be covered in informal discussions, avoiding the inclusion of so delicate a subject on the formal agenda. Accordingly, at the last moment, Liaquat Ali Khan on 6th January 1951 flew to London. A sad reflection on the deterioration in Commonwealth relations crept into *The Times*. Speaking of the reactions of responsible Pakistanis to Liaquat's attitude, their Karachi correspondent on 7th January wrote:

"A complete boycott of the Commonwealth Conference would, they feel, have lost him sympathy abroad and possibly have brought him to the point of no return in Pakistani relations with the Commonwealth—a connection whose benefits many of the more sober-minded Pakistanis still recognise"!

The Prime Ministers met, they discussed and they dispersed; and Kashmir remained unsolved. But at least men who should long ago have been in intimate deliberation had learnt something of each other's manners and methods. The right note had been set by Mr. Menzies, who, on his way to London from Australia, took the trouble to make the journey to Delhi and Karachi and acquaint himself with his two new colleagues; and so Liaquat Ali Khan was able to leave at least with a full appreciation of the sincerity of the Commonwealth leaders. Before he left London he revealed something of the nature of the Kashmir

discussions in a Press Conference on 18th January. Starting from the point of India's contention, that her troops could not be withdrawn from Kashmir for a plebiscite, since India was responsible for the State's security, three alternative proposals had been mooted. These were: (a) The maintenance of forces in Kashmir by Commonwealth countries before and during the plebiscite, at their own expense. (b) A joint force of Indian and Pakistani troops under a common command in occupation during the plebiscite. (c) A local Kashmiri force raised by the plebiscite administrator for security, enabling all other forces, regular or irregular, to be withdrawn. Liaquat claimed that he had in turn accepted all these solutions and that, with familiar consistency, Nehru had refused them. Earlier the same day Pandit Nehru had given nothing away at a Press Conference, and it was clear he regarded Liaquat's statement as a breach of confidence. In the meanwhile in Bombay Sheikh Abdullah on 8th January in a statement to the Press set out four conditions for a settlement which bore little relation to the substance of the London discussions. The withdrawal of all Pakistan forces, the entire State of Kashmir to come under the control of its legally constituted Government, the liquidation of the Azad Government and his own administration then to be given time to establish its authority and to rehabilitate the people: these were his conditions for a plebiscite. India's sincerity could well have been demonstrated by a mild repudiation of terms so far removed from the situation as understood at the United Nations.

And so the endless quest returned again to Lake Success. This time it was Britain, supported by the United States, which tabled the resolution. They had had a long trail of experience on which to draw. They threw in the suggestion of a United Nations force to hold the ring. They left partition aside as a solution and clung to the common commitment to the overall plebiscite. Finally they proposed to elect yet another arbitrator, Dr. Graham, to arrange demilitarisation and prepare a detailed plan for a plebiscite. After three months it would be his duty to report to the Council on outstanding points of disagreement. These would be settled by arbitration on reference to a panel appointed by the International Court of Justice. In short, they added a few ingredients to a meal which was already well cooked, for time had shown that it was out of the question to prepare a fresh meal. Their resolution was adopted on 30th March.

Once again Sheikh Abdullah appeared to pursue the course of his own choice. It was now his announced intention to stage elections to a Kashmir Constituent Assembly within the areas which he controlled.<sup>1</sup> It is a sad reflection on the ineptitude of our international machinery that, in spite of the repeated protests of the Security Council as voiced by the British representative and supported by the most powerful nation in the

<sup>1</sup> A resolution was adopted by the National Conference on 27th October 1950, proposing the convening of a Constituent Assembly to determine "the future shape and affiliations of the State". See Chapter Fifteen, p. 177.

world, Abdullah was able to see the election of his doubtful Assembly through to its conclusion.

The immediate reactions in Delhi and Karachi to the new proposals were exactly as foreseen. To India they were "wholly unacceptable". In particular they refused the principle of arbitration on points of disagreement. To Pakistan they were insufficient. The Indian case as presented by Sir Benegal Rao was, in effect, a plea to return to the direct negotiations advocated by Sir Owen Dixon. The entry of foreign troops could not be accepted, nor could the lawful Government of Kashmir be superseded. There was, in fact, nothing new. Sir Zafrullah Khan, in contrast, would have armed the United Nations arbitrator with dictatorial powers. The good name of the Security Council was at stake. Only by asserting its authority could the Council discharge its duty. India and Pakistan should be called on to withdraw their forces and offer their full co-operation to the mediator. At one point Sir Zafrullah's logic forsook him. It was when he looked back to the original Indian occupation and sought to prove a conspiracy between the Maharaja and the Indian Congress leaders. This hardly strengthened his case, for it furnished Nehru with effective material to refute so slender a charge with justifiable indignation.<sup>1</sup> His lengthy statement, which was concluded on 2nd April, fully accepted the new proposals. On the same day from Srinagar came the report that Nehru had addressed a closed meeting of the Kashmir National Conference and told them that the Security Council resolution could not affect the holding of elections in Kashmir.

In Delhi the Security Council was denounced as a partisan body, and the Soviet abstention from voting was warmly praised.<sup>2</sup> It was not surprising that so much of the goodwill which India had reaped through her brilliant advocacy of the Chinese case at Lake Success in the autumn of 1950 was now dissipated in a suspicion that in the isolated issue of Kashmir she was displaying that imperialistic intolerance which she had so frequently criticised in others. More in sorrow than in anger we watched the process, for India's contribution to international harmony had been broad and constructive; and was to be so again.

<sup>1</sup> Speaking in the Constituent Assembly, Nehru said that Sir Zafrullah Khan's insinuation was nothing but a figment of his fertile imagination.

"No member of the Indian Cabinet or our General Staff had even thought of this as a remotest possibility till after the invasion of Kashmir by Pakistan—that is during the last week in October 1947. There was a British Commander-in-Chief then, and a British Chief of the General Staff. It is easy to find out what the facts were and how this question first arose before us after the invasion started."

<sup>2</sup> *The National Herald* wrote:

"To the Soviet's credit it may be said that it has so far taken little interest in the strategic or political possibilities of Kashmir, further that it is undue Anglo-American interest which provokes Soviet intervention anywhere."

Quoted by *The Times* Delhi Correspondent, 1st April 1951.

## CHAPTER EIGHT

### DR. GRAHAM'S ARBITRATION

ON 30th April 1951 we learnt that, in accordance with the Council's resolution of 30th March, Dr. Frank D. Graham of the United States Defence Manpower Administration had been appointed as arbitrator with instructions to report progress after three months. But it was not until 30th June that he arrived at Karachi, and not until 2nd July that, in the absence of Pandit Nehru on holiday in Kashmir, he met President Rajendra Prasad in Delhi. In accordance with the modern tendency, the appointment of one individual did in fact involve the employment of twelve secretaries, political and military advisers and administrative assistants. It was an invidious task that Dr. Graham faced. After a long period of quiescence in Kashmir, there had been a sudden spate of raids across the cease-fire line, and Major-General Nimmo, the United Nations Chief Military Observer, was kept busy with visits to the two armies. If Dr. Graham was merely to ascertain the points of disagreement and refer them after three months to the United Nations for arbitration, he would be leaving matters in a worse state than when he arrived. He could expect little co-operation from India, who, though giving him a polite welcome, never officially recognised his appointment. In Kashmir, in defiance of the Security Council, the Constituent Assembly had been convened.<sup>1</sup> He entered into his deliberations in an atmosphere charged with fresh Pakistani accusations of Indian Army concentrations along the Punjab frontier. At the same time Nehru was retaliating with stories of unnecessary assistance afforded by British officers to Pakistan. Khan Abdul Qayyum Khan, the zealous Chief Minister of the Frontier Province, hit out at India and Britain with equal ferocity, and Nehru returned to the attack with a story of a Pakistan brigade moved from Peshawar to Rawalkot, within 15 miles of Poonch. Seldom could the conditions for moderation and tolerant discussion have been less auspicious.

Early in September Sheikh Abdullah staged his elections. In an Assembly of seventy-five, forty-five seats were reserved for Ladakh and the Kashmir Valley, and, of these, forty-three returned Abdullah's candidates unopposed. The elections would have been more convincing if the Opposition could have claimed at least to have been allowed to exist, and it was difficult not to recall the familiar methods of other ideologies.<sup>2</sup>

<sup>1</sup> Convened by the Yuvraj Karan Singh, son of Maharaja Hari Singh, on 30th April 1951. The former has acted as Regent and Head of the State ever since his father finally left Jammu for Bombay on 20th June 1948.

<sup>2</sup> In seventy-three seats National Conference candidates were returned "un-

This one measure perhaps stirred the Security Council to censure more than any other recent action of the contestants. On several occasions the Pakistan representative expressed his country's indignation, calling on the Council for action. On 30th March 1951, before the convening of the Kashmir Assembly, the Council had passed a resolution to the effect that they would not regard action taken by a Constituent Assembly as in any way determining the future disposition of the State. Later in November, when Dr. Graham's interim report was being considered, Sir Gladwyn Jebb found consolation in a statement by Nehru. "We have made it perfectly clear in our statement in the Security Council that the Kashmir Constituent Assembly, so far as we are concerned, does not come in the way of a decision by the Security Council; that stands completely." In short, the Constituent Assembly could, if it so desired, express its view on the question of accession, but it could take no decision on it. Thus spoke India's Prime Minister, and we would like to have believed in the sincerity of this unambiguous declaration. Yet we were left bewildered. For if it meant what it said, we were to assume that Mr. Nehru wished to avoid a clash as between a Security Council decision and the will of the Kashmir Assembly, in which case he surely could have obviated such a possibility by opposing the Assembly's establishment with the weight of his authority and advice.

Dr. Graham set about his task in the only way possible, which was to hold separate informal discussions with each Government. On 7th September he was able to write to them from New Delhi, setting out his conclusions.

After careful thought he said that there was reason to believe that a compromise could be reached by which both Governments could implement their respective commitments under the U.N.C.I.P. resolutions of August 1948 and January 1949. He then requested them to consider certain proposals. First, they should reaffirm their determination not to resort to force, coupled with an undertaking to restrain within their frontiers the Press, the radio and all organisations and responsible leaders from incitement to force. Secondly, they should reaffirm their will to make the cease-fire effective from 1st January 1949. Thirdly, they should reaffirm their faith in a free plebiscite, under the auspices of the United Nations, to decide the fate of the country. Dr. Graham then proceeded to outline his proposals for the demilitarisation of the State, to be achieved within three months. This was to be effected as a single continuous process. On the Pakistan side all Pakistan regular troops

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opposed". In the two constituencies where there was voting the National Conference candidate in each case defeated an "Independent". Some distinction needs to be made between conditions in Jammu and those in the valley. In the former area Praja Parishad (Hindu) candidates withdrew, alleging unfair discrimination against them by State officials. In the valley the evidence was that no opposition parties were allowed to organise an election campaign. The question of their withdrawal did therefore not arise.

and all tribesmen were to withdraw out of the State, and the disbandment and disarmament of the Azad Kashmir forces were to be well in hand. On the Indian side the "bulk" of the regular forces was to withdraw. There would then be left a specified number of regular and State forces on the Indian side and a civil armed force on the Pakistan side of the cease-fire line.

The reaffirmations required were readily forthcoming. Yet the old objections and suspicions were immediately in evidence when it came to comments on demilitarisation. Pandit Nehru was not satisfied with the proposed commitment to state the number of Indian troops remaining after the "bulk of regular forces" had withdrawn. He indicated that he wished to retain a division of sixteen battalions without commitment as to its withdrawal, a force which he claimed would be inadequate for security if Pakistan failed in her part of the bargain.

The two previous U.N.C.I.P. resolutions had contemplated demilitarisation in two stages. First the Pakistan troops and tribesmen were to withdraw, since their presence had been India's declared reason before the Security Council for the presence of her own troops. Secondly, on completion of Pakistan's withdrawal, the Commission was to report to the Indian Government, who would then initiate their own withdrawal by stages. In contemplating one single operation Dr. Graham's proposals therefore represented a considerable modification of India's previous demands. India had at last accepted a simultaneous withdrawal. But this surrender was to some degree negated by the demand, already noted, to leave behind a large number of troops.

Yet another matter of contention was the meaning of the term "disposal" in relation to the power of the Plebiscite Administrator over the forces remaining in the State during the plebiscite stage.<sup>1</sup> Pakistan assumed this to mean their disbandment. India, on the other hand, was prepared to recognise the term as covering disbandment when applying to the Azad forces, but held that the meaning and intention in application to her own forces only concerned the placing of troops into barracks and camps. Location rather than disposal was their interpretation.

Pakistan's general views, submitted simultaneously and without knowledge of the contents of the Indian reply, were that approximately equal forces of four battalions of Azad Kashmir troops and Indian regulars should remain on either side of the cease-fire line after the demilitarisation period of ninety days. Nevertheless, in general terms Liaquat Ali Khan's reply constituted a full acceptance of Dr. Graham's proposals. He particularly emphasised the need for the Plebiscite Administrator to assume his office as soon as possible after the initiation of demilitarisation. With this partial acceptance by India and comparatively full acceptance

<sup>1</sup> U.N.C.I.P. Resolution of 5th January 1949 stated that the Commission and the Administrator, in consultation with the Government of India, would determine the final disposal of forces, "with due regard to the security of the State and the freedom of the plebiscite".

by Pakistan, Dr. Graham sailed for Geneva on 12th September to complete his report. On 15th October a first instalment of this was made available.<sup>1</sup> The first report told us nothing new, and requested the Security Council for an extension of six weeks in which to be allowed to make renewed efforts for a detailed agreement on the process of demilitarisation. On 10th November the Council confirmed the request.

On 17th January 1952<sup>2</sup> Dr. Graham presented his second report to the Security Council, and at the same time admitted his failure to achieve agreement on certain fundamental principles. So far as the scope of demilitarisation was concerned, two points defied solution. First was the problem of disarming and disbanding the Azad Kashmir forces. Since to the Pakistanis these were the manifestation of the faith and resistance of a Kashmir in bondage, the difficulty in obtaining their agreement on this point can be appreciated. Secondly, it seemed impossible to decide the moment within the period of demilitarisation when the Plebiscite Administrator would take up his appointment. Dr. Graham's own view was that he should start work at the end of the demilitarisation period, which was assumed to be not later than July 1952. In regard to the more vital question of the numbers of regular troops to be left behind, India sought expert advice. Accordingly, General Jacob Devers, the military adviser to Dr. Graham, held separate talks with the representatives of the two countries, as a result of which he was successful in inducing India to agree to withdraw an additional 7,000 troops. This reduced the Indian and State forces to a division of 21,000 troops exclusive of the State Militia of 6,000 which Abdullah's Government had raised in the early days of the campaign. To balance these on the Pakistan side were to be left three regular battalions, four battalions of Azad forces and a civilian police force of 4,000, which in turn was to be subdivided into no less than four categories. The Devers plan was communicated to both Governments on 29th November 1951, and in substance appears to have been accepted by India. When therefore on 21st January 1952 a different form of the plan was published purporting to be the original agreed upon, India emphatically denied all knowledge of it. The new plan reduced the disparity of forces on either side to about 4,000.<sup>3</sup> This would have satisfied Dr. Graham's view that the ratio of troops remaining on either side of the cease-fire line should be the same after withdrawal as it was on 1st January 1949. Exactly how the misunderstanding arose is one of those matters of academic consequence which will remain buried in the files, for the doubts round the Devers plan are now regarded as a storm in a tea-cup. Dr. Graham's

<sup>1</sup> Previously, on 7th September, Dr. Graham had transmitted a draft agreement of twelve proposals for carrying out demilitarisation on the basis of the two U.N.C.I.P. Resolutions. See Appendix X.

<sup>2</sup> The written report had previously been transmitted on 10th December and released on 21st December 1951.

<sup>3</sup> India, 13,600; Pakistan, 10,200.



own efforts had been directed first towards achieving demilitarisation by 13th July 1952. Secondly he had hoped to achieve the acceptance of his "ratio" principle which would in effect have obviated the need to settle specific numbers of armed forces.

Since, in spite of all Dr. Graham's tact and patience, he had made little headway on fundamental principles, the subsequent explosive contribution from Mr. Jacob Malik on behalf of the Soviet did less damage than might have been expected. Breaking the Soviet silence of four years, Mr. Malik did full justice to his country's fertile imagination in the discovery of Anglo-American motives. Apparently Kashmir was really intended as a "trust territory" under Anglo-American control. Its ultimate fate was probably to form an armed base for Anglo-American troops with air-bases from which the capitalists could strike at China. The proof of it all was the British and American objection to the convening of a Kashmir Constituent Assembly. Unfortunately the outburst produced the impression that Britain and America had decided to put Kashmir into cold storage. The Pakistan Press were accordingly completely bewildered. On the one hand there were bitter words for the two great Powers who repeatedly shelved their responsibility. On the other hand there was equally severe censure of Mr. Malik for not having taken the trouble to discover Pakistan's real attitude to Abdullah's spurious Assembly. The Soviet intervention remains another of those inexplicable intrusions designed apparently to complicate international situations. A fair guess would be that the intention was to influence voters in the Indian elections in favour of the Communists. Certainly the Indian National Congress could hardly have regarded it as a move to their advantage. In justice to Mr. Malik, it must be said that he had received some provocation from Abdullah himself. In the latter's opening address to his Constituent Assembly in the previous November the offer of Commonwealth forces for the plebiscite was referred to as "imperial control by the back door". Their presence would have created suspicion among Kashmir's neighbours that Kashmir was allowing itself to be used as a base for possible future aggression against them. This would easily have turned Kashmir into a second Korea. What more suggestive language could have been chosen for Mr. Malik's purposes! The one feature of the Soviet's interest with which it was difficult to quarrel was the implication that the people of Kashmir should be permitted to determine their status without outside interference.

Mr. Malik's wild talk was accompanied by accusations of a personal nature directed at Dr. Graham. This, however, did not prevent the Security Council from extending his term of office for another two months from 31st January 1952 and requesting him to make a final attempt to effect agreement. Accordingly, Dr. Graham returned to the sub-continent for a short period from 29th February to 25th March. He then went to Geneva to complete his third report. This was published on 22nd April. Previously he told the Press that he had noticed a general

lessening of tension between the two nations. He was confident that one day a settlement would be reached. We are grateful for such imperturbable optimists, even though they fail to produce signatures on an agreement. Nevertheless, it was difficult to resist the reflection that Dr. Graham was clinging to a situation in which he was reluctant to admit his own failure. The publication of his final report revealed that of the original twelve points of disagreement, only four now remained unsettled; and of these only two really mattered. But if Dr. Graham had been prepared to face the position with unspectacular honesty he would have had to admit that one of those two points—the numbers of troops to remain at the end of the truce stage—was as important as the sum total of the remaining eleven judged together. Instead he preferred to draw attention to the fact that India had decided to withdraw forces from the Pakistan border in the neighbourhood of Amritsar to distances varying from 70 to 450 miles. The Pakistan view that Graham was using the Indian withdrawal as a cover for his failure to achieve agreement on the one vital issue received little publicity. Moreover, the Pakistan contention was that Indian troops in Kashmir had not been withdrawn, but merely relieved, leaving the total forces in Kashmir unchanged. This would presumably be the kind of matter to which the Observer Corps would know the answer, and one presumes that Graham would have verified his data in consultation with General Nimmo. The optimism of Dr. Graham was faithfully reflected in the comments of the British Press, *The Times* correspondent in Karachi alone voicing the bitter disappointment in Pakistan. Nevertheless both sides had in the meanwhile as a matter of convenience withdrawn substantial forces from Kashmir, and so far as the military situation was concerned the danger point had passed.

The other issue on which Dr. Graham failed to gain Indian assent was the timing of the arrival of the Plebiscite Administrator. He reported that the situation was now at the stage when he could call on Admiral Chester Nimitz to join in the discussion. It would seem a matter of common sense that if Nimitz was to be in a position effectively to control a plebiscite from an agreed date, his control should be based on his own ideas of its previous development. He would need, in common parlance, to be "in the picture". The Indian objection seemed barely intelligent. In London *India News* on 3rd May 1952 commented:—

"It is India's view that the time for appointment of the Administrator is after the demilitarisation scheme has been agreed to and they feel that if Admiral Nimitz should get involved in any prior controversies, which are bound to arise in the course of the negotiation for demilitarisation, it would prejudice his position as Administrator. Any man taking an active part in the parleys will be forced to take sides at some stage and that will at once disqualify him from his exalted office as Administrator, because he would have lost his impartiality."

If a senior United Nations official is not to be trusted to maintain impartiality previous to the commencement of his task, one wonders how it is logical to suppose that he will remain impartial while actually shouldering responsibility for a subsequent plebiscite!

The report closed with a recommendation that he, Dr. Graham, should be allowed to continue to negotiate with a view to achieving agreement on the outstanding points. It is not difficult to imagine the alacrity with which the Security Council seized on this amiable suggestion. Echoing the negotiator's optimism, *The Times* in a leader of 1st May commented, "The one thing which the Security Council must avoid is another full-dress debate now on Kashmir." It was certainly the one thing which they wished to avoid!

The Pakistan Government were very reluctant to discuss the matter further. They felt it was purposeless to meet again until India agreed to Graham's proposals. But diplomatic pressure was brought to bear on the Pakistanis, and Mohammed Ayub, the Joint Secretary in the Ministry of Kashmir Affairs, left in the third week of May for New York, where he was joined by Mr. A. S. Bokhari, the permanent Pakistani United Nations delegate. In reluctantly accepting a decision representing procedure which was never foreshadowed in the original intention, Pakistan would have had in mind the fact that after the Indian elections a happier atmosphere for negotiations might develop. Graham might even be in a position to stage a meeting of the two Prime Ministers—an accomplishment which was known to be constantly in his mind. But if and when the defeat is final, the Pakistan demand for an unequivocal statement from the Security Council to cover the future will have to be faced in wider interests than those of mere equity in the present case. The alternative is for the Council to lose what little respect it still commands in the Moslem world eastwards from Tunisia. How long the Pakistan Government are prepared to wait remains to be seen.<sup>1</sup> Meanwhile Dr. Graham was again able to entice deputations from the two countries to Geneva, where it was hoped that the happier atmosphere of Swiss neutrality and pleasant scenery might help his perseverance.<sup>2</sup> The British Press were optimistic. But they failed to take note of the Pakistan Prime Minister's reference to Kashmir in his public address on Independence Day (14th August 1952). "We have not accepted the accession of Kashmir to India and notwithstanding anything that Mr. Nehru may say, we will never accept it." If Khwaja Nazimuddin meant what he said, there was little prospect of a settlement. For it was impossible to foresee the circumstances in which either Pandit Nehru or

<sup>1</sup> A period of one month was mentioned by Sir Zafrullah Khan, which has long since been exceeded.

<sup>2</sup> Talks started on 26th August 1952 and lasted until 10th September 1952. For India Sir Gopalaswami Ayyangar (Minister of Defence) was assisted by Mr. D. P. Dhar, Deputy Home Minister, Kashmir Government. Sir Zafrullah Khan led the Pakistan delegation.

Sheikh Abdullah would risk a verdict adverse to their interests.<sup>1</sup> Dr. Graham accordingly submitted his fourth report to the Council on 16th September, much of the report being concerned with the wrangle over numbers left on either side at the end of demilitarisation. Of some interest were the estimates of combatant forces considered to have been on the cease-fire line on 1st January 1949. Without accepting each other's figure, both sides advanced the totals of 130,000 Indian troops and 81,000 troops on the Pakistani side.

The persistent Dr. Graham was to make yet one more attempt. We were reminded of the opera star who cannot resist the temptation to repeat the farewell performance! On this occasion he returned as a result of an Anglo-American resolution before the Security Council in December 1952. The resolution called on the two countries to enter into immediate negotiations in New York to decide that elusive twelfth point—the strength and character of the forces to be retained after the main forces had withdrawn. It was difficult to read any imaginative thinking into this restatement of proposals, which appeared to be of a similar nature to the previous conclusion of Sir Owen Dixon. Nevertheless, early in February 1953 Dr. Graham met Sir Zafrullah Khan and Sir Girja Shankar Bajpai, not in New York, but in Geneva. They then duly recorded the usual monotonous failure. One slight variation in the pattern of argument governed this final effort. Based on the data of Dr. Graham's last report, the Anglo-American resolution suggested compromise figures for the respective forces; and at one time it appeared that India had only to accept a figure of 18,000 as against her previous minimum of 21,000, for the two sides to reach agreement. But a more interesting development was a sudden offer of Sir Zafrullah Khan to accept 28,000 Indian troops and a withdrawal of all Pakistan regular troops, if India would agree to leave the Azad forces intact. The nature of this suggestion was hardly apparent to a neutral observer. Pandit Nehru saw in it a device to leave Pakistan regular troops behind disguised as irregulars; and he spoke of a consequent threat of 20,000 to 30,000 armed Azad men who would face India's forces. There was no indication on what evidence he based his figures. And so another round in the contest ended in the same monotonous inconclusion.

One new feature of the final report escaped attention. Dr. Graham wrote that it was his firm conviction that there were other factors "which have a bearing on demilitarisation which need to be taken into consideration. The United Nations representative is not at the

<sup>1</sup> Subsequently certain further developments added or subtracted little. On 6th November 1952 Sir Gladwyn Jebb put forward an Anglo-U.S. proposal before the Security Council that both countries should reopen direct negotiations at United Nations headquarters confining themselves to the one point of the size of the forces to be left behind during the plebiscite. They were to report back within thirty days. On behalf of the British Government Sir Gladwyn indicated that any plan outside the scope of the familiar pattern of negotiation would be welcome, if it provided the possibility of acceptance.

present time in a position to give a considered statement on all these factors."

My information is that whereas Dr. Graham had on occasions met Sheikh Abdullah, official discussions with him, indeed the whole issue of a contribution to the fate of Kashmir from either Abdullah or the Azad Government, were regarded as outside the scope of his brief. In any case both Dr. Graham and Abdullah were soon to disappear from the scene of Kashmir negotiation, and for a time the two Prime Ministers returned to hold the stage. It is to this phase that I turn stressing its significance as a classic example of the failure of leadership to find agreement in compromise.

## CHAPTER NINE

### THE NEHRU-MOHAMMED ALI CORRESPONDENCE

THE story of the Nehru-Mohammed Ali correspondence logically begins in June 1953, when the two Prime Ministers met in London at the Commonwealth Conference. As is usual on these occasions, only an informal survey of the field of Indo-Pakistan relations was then attempted, an agreement being made to meet later in Karachi and get down to business. The Karachi meeting took place on 25th, 26th and 27th July, subsequently being summarised in a diplomatic non-committal communiqué issued on 28th July. So far as Kashmir was concerned the tone was optimistic.

“The major part of the Prime Ministers’ meetings was devoted to a discussion of the Kashmir dispute which was examined in all its various aspects. These talks were necessarily of a preliminary character. They have helped in a clearer understanding of each other’s point of view of the issues involved and of the difficulties that stand in the way of a settlement. They have prepared the ground for further talks which the Prime Ministers expect to resume at New Delhi in the near future. . . .”

The two leaders parted, and for a few days hopes must have run high in the belief that the real nettle of controversy was about to be grasped. But on 9th August news reached the two capitals of the arrest of Sheikh Abdullah, and as a result the temperature of political fever in Pakistan rose overnight and Kashmir once again monopolised the headlines. There followed a long and confusing correspondence between the two Prime Ministers. Though monotonous in its reiteration of matters from which the last ounce of intelligent comment had already been squeezed, a fair record of the argument is extremely important. For it illustrates the manner in which leadership over the years, having manoeuvred itself into positions from which it dared not retreat, could only admit final failure. Compromise is not necessarily the handmaiden of justice. Yet time and again in international affairs it is the only solution; and at least the moral victory is as often as not subsequently recognised as lying with that side which makes the greater surrender. Trieste was perhaps a fair example. At this stage Kashmir lent itself to no such happy ending as Trieste, even though throughout the exchanges both Prime Ministers framed their accusations in the language of courtesy and good manners. Some analysis of the correspondence is also useful as a convenient method of covering the actual course of events subsequent to Abdullah’s arrest.

Mr. Mohammed Ali took the initiative in approaching Mr. Nehru by telegram on 10th August 1953, the day after Abdullah's arrest, with the suggestion for an immediate meeting in Delhi. His rather desperate qualification, that in no case should the meeting be delayed beyond 17th August, underlined his own sense of urgency. His telegram initiated the exchange of a series of letters which subsequently both Governments issued as a White Paper, revealing a correspondence over the next eleven months diplomatically polite but fruitless in result.

Mr. Nehru's first reply on 11th August attempted to postpone the meeting until the first week in September. He pleaded that to meet under the sudden impact of the news from Srinagar made no allowance for tempers which would not have cooled. The Pakistan Press, he protested, had issued greatly distorted accounts of events. "The Indian Army has had nothing to do with recent happenings there [in Srinagar] and has kept studiously apart." This was not strictly accurate. Even if it had been, the mere presence of troops in Srinagar must have encouraged the Kashmir Government to take what measures they wished to suppress angry demonstrations by Abdullah's supporters. Mr. Nehru repeated the facile contention that the internal affairs of Kashmir were not open for discussion. "Even the Government of India does not interfere with internal matters in Kashmir and treats that State as autonomous." Mr. Mohammed Ali was thus asked to believe that the downfall of Abdullah and his replacement by a Government more amenable to Indian control had been a matter of no concern to India itself.

Nevertheless the Pakistan Prime Minister remained firm on his proposal and on 16th August he came to Delhi. The two countries had just concluded their annual celebration of independence, and it seemed a happy moment to achieve a *rapprochement*. The measure of agreement was recorded in a Press statement issued in Delhi on 20th August. The Prime Ministers had in fact discussed several matters other than Kashmir, and were therefore able to record progress in such issues as evacuee property and the adjustment of certain territories by exchange in East Bengal. It was perhaps wise to draw attention to agreement wherever it could be found. In regard to Kashmir, their view was reaffirmed that the issue "should be settled in accordance with the wishes of the people of that State"; and the obvious way to achieve it was through an impartial plebiscite. This much was again acknowledged. Furthermore, the date of the arrival of a Plebiscite Administrator was for the first time recorded as to take effect before the end of April 1954. Issues which had in the meanwhile to be settled were to be referred to committees of experts. The announcement from Delhi at the time was such as to encourage the optimists. Unfortunately it was to prove hopelessly misleading in its façade of agreement. The public had to wait for the publication of the White Paper before coming to know of certain points of great importance which had not been previously revealed. It seemed that a "regional" plebiscite had been agreed on not unlike the scheme

which Sir Owen Dixon had had in mind. Admiral Nimitz, who from a distance had devoted years of patient study to the problem, was to be replaced by a representative from a State less committed to Power blocs in the international line-up.

In a letter of 27th August, after his return to Karachi, Mohammed Ali expressed his doubts on these issues. He was not prepared definitely to refuse the new proposals. He merely objected to processes which appeared to contradict much that had long been regarded as settled. In fact, both Mr. Nehru's points were logical. The limited plebiscite in the central valley had always been regarded by outside observers as an obvious procedure. The "regional" plebiscite now put forward was a variation only in that it still proposed to test opinion throughout the State, but separate decisions would be taken in each region. It amounted to a confirmation of the will of the people where it was already known, leaving the real plebiscite to determine the unknown desires of the Kashmiris in the central valley.

The suggestion for the replacement of Admiral Nimitz was again logical, even though it was inevitably interpreted as a reflection on the integrity of a servant of the United Nations whose sense of duty had never been in doubt. The argument that it is wise to avoid countries associated with Power blocs is reasonable and is frequently in use where the United Nations are called on to keep the peace. Why had it therefore not been advanced four years previously? Nehru's answer was to the effect that in four years the world had consolidated into two camps. It was against the background of a drifting international situation that the wisdom of employing an eminent American should be judged. It might lead to the Kashmir situation developing into a contradiction of India's traditional neutrality. To the observer from outside these are contentious points; and the one claim which we could and should accept at its face value was Nehru's insistence that the merits of Admiral Nimitz, the individual, were never in question.

The observer, ploughing dutifully through the White Paper, is compelled to ask one question. How was it that these matters were not thrashed out in those four fateful days in Delhi in August? Why was it that these two men parted without decisions on two completely fresh aspects of future procedure? As the weeks passed hopes raised by the initial publication receded, until the final position merited the reflection that the leaders might just as well never have met.

Nehru's reply of 28th August first raised the question of the Pakistan Press campaign. In their statement of 20th August the Prime Ministers had emphasised the need to curb irresponsible language, whether in the newspapers, in speech, or by radio. The reply was therefore confined to a protest at certain statements made by *Dawn* and the Associated Press of Pakistan. It seemed that the decisions in regard to Nimitz and a regional plebiscite were to have been communicated to the Pakistan Cabinet before being made public. If so, the Pakistan Press had



certainly been extremely slick in exploiting a scoop; and in doing so had shown themselves no more responsible in handling delicate intergovernmental negotiations than are others in many lands the world over. Not unnaturally, Nehru contrasted the attitude of the Pakistan newspapers with the correct approach of the Press of India. It should, however, be remembered that it was easier to refrain from attack so long as the Kashmir Valley remained in Indian hands. This particular issue was not to be answered by Mohammed Ali until 5th September. His retort was a counter-charge that the leakage had come not from Pakistan, but from India! On arrival back in Karachi, he, Mohammed Ali, had had to face embarrassing moments with his colleagues, who had confronted him with awkward questions on both the issues of the Plebiscite Administrator and a regional plebiscite. The point was now not to be abandoned by Nehru, and in his next letter of 23rd September he quoted inflammatory statements and speeches by Pakistani leaders which had revived the old call for a *jehad*. Over a month passed before Mohammed Ali replied, and by then the heat engendered by indiscretion in the Press on both sides had cooled. The sad reflection is that in pursuing argument down many possible side-tracks the Prime Ministers were repeatedly led away from the main road. Agreement on essentials became lost in a pin-pricking process, often enough kept alive by outside pressures. But to return to the main stream of correspondence, in a long letter of 3rd September, Nehru came down to hard realities. Mohammed Ali had regarded some supervision of the State administration as an indispensable condition for a free plebiscite. He had suggested either an impartial authority or a joint Indo-Pakistan Commission for the purpose. Nehru decisively refused the suggestion. It had certainly never featured in the proposals of the U.N. Commission. He went on to emphasise that no arrangements would be permitted which in any way challenged the State authority. In support of his argument he drew attention to the circumstances by which the Plebiscite Administrator would formally be appointed by the Kashmir State.

In his letter of 27th August, Mohammed Ali had suggested that refugees from Kashmir should be allowed to vote in a plebiscite in the region of their origin. Nehru analysed the proposal with care, pointing out the many practical difficulties of registration and check. Doubtless Mohammed Ali had in mind the sentiments of some 400,000 Kashmir refugees on Pakistan soil who looked to the day of return to their native land. He would also not unnaturally have wished Pakistan to profit from their vote. Again we wonder why the issue was not raised previously in Delhi. It can only be supposed that in the three crowded days allotted there was just not the time for more than superficial discussion. On return to Karachi, Mohammed Ali may well have had his attention drawn by his colleagues to points of detail essential to the Pakistan case which might have been overlooked in the Delhi conversations.

Nehru's letter of 3rd September was a maze of argument, clear in

detail yet collectively confusing in its general content. In the necessary process of selection from twenty-five paragraphs one particular passage suggests a conflict of logic. In Paragraph 20 he referred to the role of the United Nations.

"I should like to make it clear that there is no intention on my part to exclude the U.N. from this question of Kashmir. The Plebiscite Administrator would function under U.N. supervision, but it seems quite obvious that while the U.N. can be helpful, any settlement must depend upon the consent and co-operation of India and Pakistan. Therefore it is for us to agree and not to look to the U.N. to produce some settlement, without our agreement."

The statement is charged with provocation. If the two Ministers could agree, would not the need itself for U.N. intervention have melted away? It was the fact of disagreement which necessitated international supervision, and in those circumstances perhaps the less both India and Pakistan interfered in Kashmir affairs once the plebiscite machinery was set up, the more likely was a true result to emerge expressive of the will of the people.

The letter closed with the Indian Prime Minister's familiar tendency to relate local issues to the stage of international events. After referring to large minorities in Pakistan and India which might be affected by a hasty decision, he placed the problem of Kashmir majestically against historical processes and the destinies of nations.

"We have to look at current events in some historical perspective. Our huge continent of Asia appears to waken after 300 years of quiescence. The inevitable destiny of India and Pakistan must be to co-operate as independent nations, for their mutual advantage and for the good of Asia and the world."

The Pakistan Prime Minister's letter of 31st October attempted to bring discussion back to procedural matters on which agreement had been reached in Delhi. In some impatience he indicated that his conception of a regional plebiscite varied considerably from that of Nehru; and he therefore saw no purpose in giving it further consideration. The official committees which had been agreed upon should now be set up. While not welcoming the suggestion that Admiral Nimitz should be replaced, he did not necessarily refuse it. He, however, insisted that to refuse refugees the right to participate in a plebiscite would be a denial of elementary justice.

"We agreed in Delhi that the plebiscite need not await the rehabilitation in their homes of the displaced citizens of the State. But that does not and cannot mean that these displaced citizens should be deprived of their vote in the plebiscite. I can see no reason

either in justice and equity or on the basis of the agreement already reached between us which would justify our depriving them of their right to participate in the plebiscite."

At this stage letters started to cross each other, a circumstance which could hardly have contributed to agreement. Three days later Mohammed Ali wrote somewhat unwisely reopening the issue of the August Press conference leakage. But he was on firmer ground when he passed on to refer to more recent outbursts in the Indian Press which faithfully reflected the wild political philosophy of India's more conservative communalists. Akhand Bharat Day,<sup>1</sup> as reported in at least five Indian dailies, had been the excuse for extremists to stage meetings at which the reunification of the sub-continent had been presented as the goal of true patriots. In particular, *Parbhat*, in an editorial of 19th August, was quoted as saying, "Pakistani leaders are aware of the fact that the majority of the Indian people does not accept the partition of 1947 and will come out in the open to do away with it at the first opportunity."

It might have been wise to have left protests at these Press extravagances for a separate occasion, since they had no direct connection with Kashmir. Other passages, however, definitely involved the Kashmir problem in unambiguous terms and provided Mohammed Ali with legitimate cause for complaint. Of these the most curious was that quoted in the *Times of India* of 13th September. A certain Mr. Kodanda Rao of the Servants of India Society, a body pledged to non-violence, was quoted as having made a highly inflammatory and irresponsible observation. Yet in the same breath he put forward a proposal which, though too revolutionary for acceptance, must appeal to those who prefer the surgeon's knife to the physician's medicine.

"I would say that even war is better than a plebiscite, as you know in a war you are fighting to kill each other. . . . The only solution of the Indo-Pakistan [Kashmir] dispute, it seems to me, is the exchange of Kashmir for East Bengal."

After a startling tribute to bloodshed the logic of the practical solution is intriguing.

But of greater irritation than extracts from Indian Press reports was the voice from Kashmir itself. Abdullah had previously developed the Srinagar radio into a powerful weapon and his successor, Bakshi Ghulam Mohammed, was quick to exploit his inheritance. His speeches very naturally at this time must have driven the Pakistan Cabinet to desperation. The *Times of India* reported him to have spoken on 27th September in Baramulla in the following terms: "Plebiscite or no plebiscite the general feeling in Kashmir is one of safety in India. Economic, cultural

<sup>1</sup> "United India" Day, usually referred to as Independence Day, 15th August.

and social circumstances have linked our fate with India and no power can sever that link." Later at Kangan the *Tribune* (30th September) reported him as saying that Pakistan could only establish itself in Kashmir "on the dead bodies of the Kashmiris . . . our decision to join India is irrevocable."

It was, of course, not possible for Nehru to control every procrastination perpetrated by many hundreds of newspapers in India and Kashmir; and it is fair to regard both Prime Ministers at this stage as the victims of their own Press. The question then arises as to whether in the event of a Plebiscite Administrator ever arriving, there would not have to be some form of effective agreement to muzzle all reference to the problem in both countries during the critical period of plebiscite operations.

Having successfully delivered his very damaging contribution to Indo-Pakistani relations, the Kashmir Prime Minister indulged in some imaginative speculation. Britain and the United States were apparently conspiring to get a foothold in Kashmir "through the back door, via Pakistan". We had heard this previously from Mr. Malik at the United Nations, and the similarity of the two deductions deserves our attention.

Nehru's reply on 10th November was not impressive. It would have required but a small concession to reality to have instructed Bakshi Ghulam Mohammed to exercise a little restraint in his language and in the use of his radio service. It was perhaps unfortunate that Mohammed Ali had not pressed for the inclusion of Kashmir within the original understanding in the Delhi Press communiqué of 20th August, in which the Prime Ministers deprecated irresponsible expressions of sentiment in the Press in speech or by radio. Nehru again raised the issue of the method of a plebiscite and thereby seemed unnecessarily to complicate the issue. "I had suggested that the plebiscite should be for the State as a whole and the detailed result would then be the *major* factor for the decision to be taken." It could surely be the *only* factor. But in any case the regional arrangement had previously been abandoned by Mohammed Ali, who was quick to remind Nehru of this in his reply on 1st December. This time a comparatively brief letter closed with a list of Pakistan's representatives for the proposed committee of experts<sup>1</sup> One could sense Mohammed Ali's impatience and his desire to get the agreed machinery in motion. The scene-shifters could at least set the stage. Yet without agreement between the two principal actors it was difficult to see how the curtain could ever go up.

Nehru's next letter, of 9th December, was important, since for the first time the question of Pakistan's receipt of military aid from the United States was introduced. Indeed, nine paragraphs were devoted to the various rumours which were current at the time, the opportunity being taken to expand on India's philosophy of neutralism and the need to keep large areas of the world free of war fever and unaligned with

<sup>1</sup> Aziz Ahmed, Mohammed Ayub, Aftab Ahmed Khan, Major-General K. M. Sheikh, Lieut.-Colonel Mohammed Iqbal.

either Power bloc. The effect of American military aid for Pakistan on the Kashmir issue was not raised until the tenth paragraph. But the reasoning was then sound. The withdrawal of Pakistan's troops from Kashmir territory would make little difference. They could return within a matter of hours; and if they were to be supplied with the latest American equipment and arms, India was bound to regard Kashmir as closely concerned with Pakistan's unknown intentions. Demilitarisation in the circumstances became something of a farce. The letter closed with the nomination of the Indian members to the joint official committee<sup>1</sup> in the same somewhat unrealistic spirit of optimism which had encouraged Mohammed Ali to consolidate at least this aspect of agreement. The date for the Committee to meet was finalised for 21st December 1953, just four months after the conclusion of the Delhi talks.

Mohammed Ali's reply in defence of his country's acceptance of U.S. aid needed careful study. His pained protests at Nehru's doubts of Pakistan's intentions rang with sincerity. He repeated a contention which independent observers frequently maintain: that war between the two countries was quite unthinkable and that Pakistan could never afford anything in the nature of a double-cross in Kashmir even if she felt so inclined. He drew a comparison between the Indian and Pakistani defence budgets, and he then closed with an eloquent assessment of the real problems between the two countries: evacuee property, canal waters, problems involving the food and welfare of many millions, ethical issues of human rights and human relationships. It was an impressive appeal. But it left one question unanswered. What, in fact, was the real motive of Pakistan in seeking American military aid? Elsewhere I have given a possible answer.<sup>2</sup> But the matter is not simple and lends itself to several interpretations.

There followed a brief brawl over the appointment of the Plebiscite Administrator. Mohammed Ali was reported as having told his Press conference that Pakistan could not accept Admiral Nimitz's replacement. This was certainly a reversal of his previous decision, which, however reluctantly accepted, appeared on paper to have been final. Nehru sent his protest through his High Commissioner in Karachi, Mohan Sinha Mehta. Mehta then interviewed Mohammed Ali, who gave the not very convincing reply that he had been misrepresented by the Press. But the feature of significance was that whereas Nehru could have confined his message to a simple question demanding a straight answer, the message delivered by Mehta ran into over 400 words. This was typical of the technique into which both Prime Ministers had drifted. Nerves were becoming frayed and to have the last word seemed now to be the motive in elaborating each small twist of argument. Nehru's next

<sup>1</sup> Shri M. J. Desai, Shri Vishnu Sahay, Shri V. Shankar, Brigadier Manekshaw.

<sup>2</sup> See Chapter Twelve.

letter, of 21st December, concentrated on the continued rumours of the nature of military aid to be received by Pakistan from the United States. Mohammed Ali had not attempted to disguise the fact of the acceptance of aid. But he drew a distinction between the receipt of aid and the conclusion of a formal military alliance. It was clear that the Indian Prime Minister held his own familiar views concerning both the wisdom and morality of taking Western military aid. It should be readily acknowledged that his attitude sprang from a passionate and sincere belief in the efficacy of avoiding commitments. If Asia as one vast area could be kept free from contamination, then at least her peoples would have made their vital contribution to the peace and sanity of a harassed world. But was he justified in taking his particular logic out of its international context and applying it to Kashmir, an issue on which hung the relationship between his country and its great neighbour? The critic might have some justification in claiming that the prospect of American aid was in fact a not unwelcome development, as providing the means by which the day of the fateful plebiscite would recede yet further and the *status quo* tend to a final consolidation.

Meanwhile the official joint committees had met in Delhi. Their agenda had been put forward by Mohammed Ali in his letter of 1st December. It was to be:

- i. (a) demilitarisation of the State of Jammu and Kashmir;  
(b) other preliminary issues requiring decision preparatory to induction into office of the Plebiscite Administrator.
- ii. Action necessary to implement decisions taken under (i) as envisaged in the joint communiqué of 20th August, 1953.

The committees almost immediately ran into trouble. The Indian delegates, receiving their brief from the Government of India, had inevitably to introduce the question of American military aid into the discussions. In his letter of 14th January, Mohammed Ali resented this development, claiming that the committees were exceeding the field of their legitimate inquiries. The committees accordingly broke up *sine die*. There followed a letter from Nehru mainly concerned with an elaboration of Indian reactions to American military aid and requests for confirmation of Mohammed Ali's view on Admiral Nimitz's replacement. It seemed that for some reason the Pakistan Prime Minister had left this issue in doubt. His letter of the 4th February 1954 finally cleared up the matter, thereby registering about the only example of positive agreement in the course of the whole correspondence.

At the beginning of February, the Kashmir Premier visited Delhi and was again allowed to issue statements which made a farce of all talk of a plebiscite. Mr. Philip Deane of the *Observer* seemed inclined to discount the significance of Mr. Bakshi's claims. It should be recalled that on 6th February the Kashmir Assembly had decided to adopt the Indian

Constitution with suitable amendments. Mr. Deane's comment was as follows:<sup>1</sup>

"The Indian point of view as explained to me is that Mr. Nehru still intends to stand by his statement of 24th July 1952 and that the adoption of the Indian Constitution by Kashmir does not affect India's assurances to the United Nations about the holding of a plebiscite as soon as preliminary negotiations are completed. Such negotiations cannot take place—say the Indians—until the details of the American aid agreement with Pakistan are known."

In regard to the Kashmir Premier's statement that his Parliament's decision was an act of irrevocable accession to India, Mr. Deane held that this "did not have much legal value because Mr. Bakshi and his Parliament were not speaking for the whole of Kashmir but only for the part attached to India". The Prime Minister of Pakistan could be forgiven for not viewing the position in this light, and in his letter of 4th February he entered his strong protest. Nehru did not reply, so that another letter followed from Mohammed Ali on 24th February framed in terms of unambiguous indignation.

"In my letter of 4th February I had drawn your attention to Press reports of a statement made in Delhi by Bakshi Ghulam Mohammed following his discussions with the Government of India to the effect, *inter alia*, that the Kashmir 'Constituent Assembly' would ratify the State's accession to India and that the day in April of which Pakistan was dreaming, when the Plebiscite Administrator was expected to be appointed, would never come. I was taken aback when I saw that statement, made apparently with the approval of the Government of India, because it made a mockery of the agreement that you and I had reached in Delhi and of the international obligations concerning Kashmir that India had solemnly assumed. . . . In the meantime, as foreshadowed by Bakshi Ghulam Mohammed, the 'Constituent Assembly' has endorsed the proposal that the State of Jammu and Kashmir accede to India. I was surprised to learn of this decision, taken in contemptuous disregard of our talks. . . . Speaking at a public meeting in Sylhet on 9th February, therefore, I appealed to you to repudiate this decision. . . . This you have declined to do."

In the Indian Parliament on 19th February and 22nd February, Nehru had in fact referred to the suggestion of repudiating the Kashmir Premier's statements as "absurd". He went on to say that he stood by India's international commitments "subject to such changes as may come about by other events". Presumably he referred to Pakistan's aid from America. It was not until 5th March that he replied to the issue of

<sup>1</sup> Delhi, 13th February 1954, the *Observer*.

"Ever since the Constituent Assembly [in Kashmir] came into being more than two years ago, our position in regard to it has been perfectly clear and has been stated in the Security Council and elsewhere. We said then that the Constituent Assembly was perfectly free to decide as it liked, in regard to the State's accession or other matters, but, so far as we were concerned, we would abide by our international commitments. There has been at no time any question of our *repudiating* the decisions of the Constituent Assembly and indeed we have no right to do so. That elected Assembly has every right to express its wishes in any way it chooses. So far as we are concerned, the accession of Jammu and Kashmir State was legally and constitutionally complete in October 1947 and no question of confirming or ratifying it arises. Nevertheless, we had said that the people of Kashmir should be given an opportunity to express their wishes about their future, and we had agreed to a plebiscite under proper conditions. We have adhered to that position throughout, subject always to those conditions, which would ensure a fair and peaceful plebiscite. It is because those conditions have not been agreed to that delay has occurred. I have not with me the text of Mr. Ghulam Mohammed Bakshi's <sup>1</sup> speeches and I cannot judge from extracts taken out of their context. But, in any event, it is open to him to express his views as he chooses."

I find this assessment difficult to reconcile with the claim to vision and greatness in statesmanship which is frequently made on behalf of the Indian Prime Minister. It is a claim which many like myself would gladly accept. We would welcome proof that we are wrong; and in the absence of that proof we feel that somehow we have been deceived. The Kashmir Assembly was free to decide as it liked, yet India would abide by her international commitments. If this is not a contradiction in terms, then English grammar needs an overhaul. The accession of the State was legally and constitutionally complete in October 1947, and no question of confirmation or ratification arose. Yet the people of Kashmir should be given an opportunity to express their wishes. To allow that the people should express their wish can only mean a recognition of a situation in which the legal accession was *not* the last word. In his game of verbal acrobatics we begin to doubt the use and meaning of words. When I was at school there was an old wisecrack about an irresistible force meeting an immovable body. The solution bears some relation to the answer to the problem which Nehru has posed for our consideration in his reconciliation of an Indian Kashmir with a free vote to its people.

Mr. Nehru's arrangement of this gentleman's name differs from that in general use.



Mohammed Ali's letter of 29th March was an able defence of Pakistan's policy in taking military aid. "We do not have, we cannot possibly have, any intention of using this aid for the purpose of settling the Kashmir dispute by force." The statement sounded sincere, and could have been accepted as such had there been any prospect of objective judgment in India. Always impatient to get on with the job, Mohammed Ali concluded his letter with the suggestion that they should now take up the question of Admiral Nimitz's successor, who was due to assume his duties in little over a month's time! His letter was not answered until a fortnight later, the reply (13th April) amounting to an unambiguous admission that Nehru now regarded the acceptance of American military aid by Pakistan as having created an entirely new situation.

There followed a long interval of time before the correspondence was reopened. In the meanwhile the two Prime Ministers had met at the Colombo Conference when presumably the black clouds of Kashmir were not allowed to cast shadows over Asian harmony. In April the President of the Indian Republic visited Jammu and was received ceremoniously by the Sadar-i-Riyasat, driving down a three-mile route of cheering crowds. Replying to a civic address, Dr. Prasad spoke of unbreakable bonds which had existed from time immemorial and which no power could sever. He then unveiled a life-size statue of Mahatma Gandhi and departed. On 22nd April Bakshi Ghulam Mohammed addressed a public meeting at Ranbirsinghpura, and for the first time within the State in unambiguous terms openly repudiated a plebiscite as a solution. In May the Indian control was further consolidated when President Rajendra Prasad issued a proclamation under Article 370<sup>1</sup> of the Constitution applying its provisions (with insignificant modifications) to Kashmir, thus setting the seal on the process which the prisoner Sheikh Abdullah had initiated. In a leader of 16th May, *The Times* reserved some unusually fierce comment for the Kashmir Premier.

"Emboldened by Indian protection Bakshi Ghulam Mohammed recently announced that no question of a plebiscite now arises, because the Assembly has 'finally and irrevocably' acceded to India. This monstrous statement has not been contradicted by Mr. Nehru, in spite of Mr. Mohammed Ali's request. All that the Indian Prime Minister has done is to repeat that India will honour her international obligations, without saying how that will be done."

May passed with many matters, apart from Kashmir, offering provocation to an ever-vigilant Indo-Pakistani Press, and, with commendable

<sup>1</sup> Article 370 of the Indian Constitution was framed specifically to cover the case of Kashmir. It limits the application of the Constitution to matters agreed upon between the Government of India and the State Government in consultation. It lays down the circumstances under which such matters must be placed before the State Constituent Assembly; and it finally empowers the Indian President to declare the Article inoperative under certain conditions. (See Chapter Fifteen.)

reserve, the two Prime Ministers refrained from public comment. Few seem to have noticed that the date for the elusive Plebiscite Administrator had slipped by. In the next letter, that of 14th July from Mohammed Ali to Nehru, the omission was not even mentioned. Instead there was now dispute concerning Nehru's opening of the Bhakra Canal system to add confusion. For the first time, Mohammed Ali raised doubts as to the wisdom of continuing further correspondence or negotiation.

"More particularly, if you should still feel disposed to maintain, despite my assurances, that the U.S. military aid has a direct and material bearing on the question of demilitarisation in Kashmir (whereas in my opinion it has not) then a solution of the Kashmir dispute would appear to be completely ruled out. Your proposition would seem to imply that India would now wish to retain even larger forces in Kashmir during the plebiscite than previously—a situation which we could not possibly agree to. To retain heavy forces in Kashmir would be to make nonsense of all our pronouncements, yours and mine, that the plebiscite must be free. . . . If therefore you consider that the context of Kashmir negotiations has changed in the above sense then further negotiations between us are unlikely to prove fruitful."

The battle of letters was now drawing to its close. The White Paper records only two more, a letter from Nehru to Mohammed Ali of 23rd August and Mohammed Ali's reply of 21st September, both of which dealt with the canals dispute as much as Kashmir. With reference to Kashmir, Nehru merely repeated his previous contention, that the receipt of aid from a great military Power by Pakistan altered the previous basis of discussion in regard to the quantum of forces to be maintained in the State. After referring back to Mohammed Ali's refusal of a non-war declaration, he once again drew attention to the activities of the Pakistan Press. He did not, however, suggest the formal closing of negotiation. This was left to Mohammed Ali.

"In the circumstances, I am bound to conclude that there is no scope left for further direct negotiations between you and me for the settlement of this dispute. This case therefore must revert to the Security Council. I propose with your concurrence to publish our correspondence on Kashmir, as detailed in the appendix<sup>1</sup> on 1st October. You will doubtless wish to publish it on the same date."

But before coming to this dismal conclusion he allowed himself a final summary of his case. There was some rather wearisome reiteration, particularly in a restatement of the machinations of Bakshi Ghulam

<sup>1</sup> The Appendix listed the twenty-eight letters which had been exchanged, with dates.

Mohammed. But the sincerity of despair was crystal clear. By now he had been driven to that conclusion to which a reference has been made, that the issue of American military aid had proved a not unwelcome alibi for the Indian Prime Minister. He recorded frankly his doubt whether Nehru wished to settle the dispute at all.

“Above all, it strikes me as particularly unfortunate that while you continue to profess much concern for the cause of international peace and the recognition of the right to self-determination of the peoples of Asia, the four million inhabitants of the State of Jammu and Kashmir should remain denied of the right to self-determination for seven long years. . . . I hope and pray that the conscience and wisdom of men may yet perceive the great injustice and dangers inherent in the continuance of this disastrous dispute and find the way to a just settlement before irreparable damage is done to Indo-Pakistan relations and to the cause of stability and peace in Asia.”

Thus ended the story which had begun fourteen months previously in “a clearer understanding of each other’s point of view”. In attempting its analysis it has been difficult not to fall into the factual monotony of the White Paper itself. I have endeavoured to balance quotation and comment, limiting the latter to the more obvious conclusion which a phrase suggested at the time. But there is still much left unsaid. The wider picture of two minds in conflict and the great issues involved must, however, be pieced together from these pages, when and where the pieces are discovered. For the arguments must conveniently be fitted to the separate problems which surround Kashmir. If negotiation could have followed the course desired by Pakistan, subsidiary problems would hardly have arisen. India, however, with some justification, introduced the question of military aid from America, thereby involving an analysis of the issue in any work purporting to be a fair record of the Kashmir problem. Thus it is that we will again encounter some of the many bitter exchanges set out in these twenty-eight letters of laboured research in grievance and disagreement.

## THE FRONTIER AREAS AND LADAKH

**A** GLANCE at the map of Kashmir indicates that great tracts of country in the east and north of the State have received comparatively little publicity. Controversy has tended to centre round the perpendicular arm of the cease-fire line. It is to these distant territories that this chapter is confined.

By no stretch of the imagination could the Gilgit Agency, including the feudal States of Hunza and Nagar, be considered as owing loyalty to a Government in Srinagar. In 1842 Raja Gulab Singh overran this rugged country with the customary success associated with his dynamic ambition, and Lord Hardinge confirmed the territory to him in 1846. Six years later the Dogra garrison was wiped out by a local leader, Gaur Rahman, the ruthless chief of Yasin. After Gaur Rahman's death Maharaja Ranbir Singh regained a loose control. But it was left to the British to consolidate the vague understanding with the Dogra regime in Kashmir. In 1889, in face of the increasing threats of Russian expansion, the British occupied Chitral and at the same time established the Gilgit Agency. Two years later an expedition to Hunza and Nagar brought these small States under Gilgit, and thereafter they paid an annual tribute to Kashmir State. A British political agent at Gilgit was responsible to the British Resident in Srinagar, and represented the loose titular allegiance of the Gilgit Agency to the Maharaja.

In August 1947 the end of British supervision in Gilgit was the obvious opportunity for a very individual Shiah Moslem community to break away. A few days before partition Gilgit was handed back to the Maharaja, whereupon the Gilgitis quietly staged their own peaceful revolt without assistance from Pakistan and set up a regime of their own. The only State troops in the area were the 6th Battalion, consisting of Sikhs and Moslems. The Moslems quickly deserted. The Sikhs were accordingly withdrawn and sent down to Attock in the Punjab as prisoners of war. The Gilgit Scouts then took over. Indeed, had it not been for their prompt action under a British officer it is difficult to see how the Sikhs would have been saved.

Pandit Nehru protested. The Agency, he maintained, should have remained with the British to be disposed of between Pakistan and India. Previously the Maharaja had optimistically appointed his own Dogra Governor, Gansara Singh. But it was too late. The Governor arrived and was held hostage, imprisonment probably saving his life. For this he had to thank the quiet efficiency of Captain Brown, the commander of the Gilgit Scouts at the time. The Gilgit Republic, under their leader,

Shah Rais Khan, then invited the intervention of Pakistan. Pakistan complied, and a single officer, Sardar Mohan Aman, was flown in from Peshawar to take control. It was typical of the sense and honesty of the people that he was able to take over the Gilgit Treasury untouched since the first days of the revolt. Weeks later the Gilgitis undertook the occupation of Baltistan. Thus it was that Pakistan acquired the great mountainous wastes of northern Kashmir, with all the semblance of perpetuity. So far as the physical defence of these immense mountains is concerned, Pakistan appears to hold her territory with two units of a semi-military nature, the Gilgit Scouts and the Northern Scouts.<sup>1</sup> The former is a unit of long standing with which in former days a handful of British officers enjoyed a few years of happy seclusion. The latter is a new unit raised specially to meet the Kashmir situation. Both these units take their orders direct from Pakistan's Ministry of Kashmir Affairs. The northern Scouts stretch out along the northern delineation of the cease-fire line, and in the winter have to be maintained by air. At Gilgit the Headquarters of both corps live in friendly rivalry alongside each other. It is hardly credible that their services will ever be seriously demanded to defend their mountains on behalf of Pakistan. Yet, for reasons unconnected with the Kashmir quarrel, we would regret their disappearance. It should be recorded that the rulers of Hunza and Nagar in their distant isolation had failed to realise the significance of events in India or the existence of a friend in Pakistan. At the time when Gansara Singh was hoping to confirm his control over their territories they were innocently enjoying the hospitality of the Maharaja in Srinagar.

It should be understood that the Gilgit Agency is in no way associated with the Azad Administration at Muzaffarabad, although in Pakistan as late as March 1952 followers of the Azad Kashmir leader, Ghulam Abbas, were agitating at Jhelum for Gilgit to come under their control. The former functions of the British Resident of Kashmir are now exercised by a permanent Secretary, who works in the Pakistan Ministry for Kashmir Affairs, with its headquarters at Rawalpindi.<sup>2</sup> But with the old route in from Srinagar denied to Pakistan, communication is a problem. Twice daily planes of Orient Airways and the Royal Pakistan Air Force fly in and out on one of the most hazardous air routes in the world. A road capable of taking light motor traffic was hurriedly being constructed over the Babusar Pass in the spring of 1952. Perhaps the

<sup>1</sup> Many former Indian Army officers have happy memories of service with "the Frontier Corps". Pakistan's policy has been to expand the Corps to take over many duties on Pakistan's western frontier formerly associated with the Indian Army. No less than thirteen units of Rifles, Militias and Scouts now comprise the Frontier Corps, the Gilgit and Northern Scouts being two of these units.

<sup>2</sup> In February 1952 the Secretary for Kashmir and the northern districts was Mr. Mueenuddin, to whom I was indebted for his clear exposition of the situation. The Minister for Kashmir Affairs was Mr. Mahmud Hussein, whose secretary, Mr. Mohammed Ayub, acted as liaison officer with the Pakistan staff at the United Nations.

building of roads remains the one progressive and practical legacy of so much human folly. This brief account should be sufficient to indicate that the men of the Gilgit Agency are never going to allow themselves to be subject to control from either Srinagar or Delhi.

There is no more rigid ethnographical division in the country than that which separates north and south Ladakh. In the north the Skardu *tehsil*, with its population of 106,000 Moslems, is controlled by Pakistan<sup>1</sup>. In the south the two *tehsils* of Kargil and Leh are under the Srinagar Government. The Kargil *tehsil* is mainly Moslem, while the Leh *tehsil* of eastern Ladakh has a population of 40,000 Buddhists.

The Buddhists of Ladakh are racially and culturally closer to Tibet than Srinagar. Indeed, until Raja Gulab Singh conquered and annexed Ladakh for the Sikhs over a century ago, they were politically integrated with their Tibetan neighbours. Buddhism has flourished in Ladakh since A.D. 400, and for centuries Leh has been ecclesiastically subject to Lhasa. Early in the seventeenth century a Mohammedan invasion of Ladakh by Baltistan, when Leh's temples were plundered and destroyed, successfully confirmed the complete division, ethnographical and geographical, between the Balts and the Buddhists. The legacy of those events is that to-day Ladakh has made it clear that if there is any question of conditions demanding the area to be handed to Pakistan, the people would abandon both Pakistan and India and return to the ancient association with Tibet. This was the declared intention as defined by their chief spokesman, the Lama Bakula of the Spitok monastery. Whether or not the choice in that form would ever present itself, the links with Tibet present sinister political problems. The hand of Communist China now stretches over the roof of the world to the Indian frontiers. To discover a welcome in Ladakh would be but a logical extension of Chinese hopes.

The position of the Buddhist hierarchy of Ladakh is not enviable. In the face of Abdullah's agrarian reforms, the monasteries retain their lands precariously. The Shushok Lama Bakula,<sup>2</sup> who attends the Kashmir Assembly on behalf of his people, watches their rights. He has successfully recruited Ladakhis for the State Militia, and in return the State representative at Leh sees to it that Ladakh receives a generous share of cloth, sugar and kerosine oil. But theocratic societies are hardly compatible with the new winds that blow from Srinagar. Yet if the Tibetan loyalties were revived it would in time prove but a case of exchanging the frying-pan of Srinagar for the fire of Peking.

In looking at the situation in Ladakh, we need to keep a sense of proportion. In our sentimental reluctance to see the passing of primitive content in a land where the rule of priests for generations has been unchallenged, we should not disregard the conditions of unmitigated

<sup>1</sup> Skardu is sometimes referred to as the capital of Baltistan. Baltistan, however, is an area rather than an administrative unit, and its boundaries are vague.

<sup>2</sup> "Shushok" or "Skushok" means "Living Buddha."

exploitation which prevailed. No community in the world was more ridden with superstition than the Ladakhis, who thus readily found themselves the victims of the pedlars of religion who composed some 20 per cent. of the population. As to the Lāma Bakula, he seems successfully to have secured power under false pretences. He has been described as practically illiterate, adventurous and unscrupulous.<sup>1</sup> Abdullah gave him his power in 1948, when he set him up at the head of the local National Conference group established for the first time at Leh. Yet on 18th March 1955, as a Deputy Minister of the Kashmir Government, he had no hesitation in denouncing Abdullah and proclaiming his successor as the true liberator of Ladakh.

In June 1952 Abdullah spoke in the State Assembly in spirited defence of his policy for the Buddhist community. A factor in the poverty of the people, he said, was the practice by which the managements of the Gumpas<sup>2</sup> received grain from their tenant-cultivators and then loaned it back to them at exorbitant rates. The Government would hold the law of transfer of land to the tribes in abeyance in view of the peculiar conditions.<sup>3</sup> The "pernicious" practice of requiring a definite quota of transport ponies and porters at different stages on the Srinagar-Ladakh route for tourists, officials and traders would cease. He then listed a number of advances which his Government could record in their administration. It appeared that previous to 1948 no forest operations of any kind had existed in the district. Veterinary services were to be improved and agricultural research undertaken. The area was rich in mineral resources, which would be exploited. Already a start had been made on sulphur and borax mines. Samples of salt from the lakes had been sent to Delhi for analysis. Two new high schools had opened up in Leh and Kargil, and a teachers' training-class was to follow. It all looks as though the primitive slumbering content of the Ladakhis has received a jolt; and a feature of the new initiation paradoxically is that the Kashmir war proved an incentive. Recruitment in the local militia brought regular wages to the landless labourer. The army brought with it its own communications, the telegraph, the telephone and, more important, a few roads.<sup>4</sup> Early in 1948 a handful of Indian troops pushed over the Rohtang Pass from the Kulu Valley up to Leh and saved it from falling into Pakistani hands. The construction of a rough road followed. The journey from Srinagar to Leh through Dras and over the Zoji La, which

<sup>1</sup> *Voice of Kashmir*, Vol. ii, 4th April 1955. This publication is the official organ of the Kashmir Democratic Union (see also Chapter Fourteen, p. 171).

<sup>2</sup> The Ladakh term for "monastery" is Gumpa.

<sup>3</sup> This apparently referred only to land held by the Gumpas. In July 1951 *The Times* special correspondent in Leh reported that under a National Conference official Khwaja Sahib Ghulam Qadir, the abolition of landlordism had proceeded apace, 25,000 out of 30,000 acres having passed to peasant proprietors.

<sup>4</sup> Telegraph offices which had been destroyed by enemy action were restarted at Leh, Khalsi, Kargil, Dras and Machol. Emergency telephones were installed in 16 stations.

formerly took over two weeks,<sup>1</sup> thanks to the Indian Army can now be covered in seven days. The Indian Air Force Transport Command operated an airlift between Leh, Kargil, and Srinagar comparable to that of the Pakistanis into Gilgit. But more interesting than the technical benefit derived through an army of occupation is the psychological effect of new contacts. Forget the limitations of communalism and there is no better ambassador of India than the Sikh or Dogra or Mahratta sepoy. Contact with the Army may well have contributed to the tendency for Ladakh to seek a direct approach with Delhi, a tendency which received encouragement from the increasingly ambitious nature of Abdullah's own contacts with the Indian Government. Yet if Kashmir is to keep Ladakh within its fold, its leaders can hardly afford ambiguity with either India or Ladakh. The undefined frontier between southern Ladakh and Tibet is of vital importance to the Indian defensive system, and it is not difficult to visualise the circumstances in which India might insist on its adequate protection being under direct control from Delhi. It would seem that this wild, unknown country, in spite of its mediæval theocracy, is itself in a key position; and it is something of a paradox that, more than in any other portion of the State, the conception of a plebiscite in its scattered, snow-bound hamlets appeals to our sense of the ridiculous.

It may be that in discussing the intentions of either Ladakh or Kashmir or India we are a long way from reality, for sometimes it appears that the shape of things to come may, alas, be moulded at Chinese dictation in Lhasa. The immediate result for Ladakh has been to kill her former trade with Yarkand, and the only travellers through from Sinkiang have been 175 Kazakh refugees, who after months of persecution and endurance trickled into Ladakh in October 1951 from western Tibet. It is sad to recall that they were only admitted past the Indian frontier posts after Indian officers had witnessed the death of their leaders at the hands of the Chinese.

The Iron Curtain has descended; and yet the very isolation of the country offers limitless opportunity for infiltration to those who seek to work within the gullible Indian framework. Maybe that the first taste of Communist technique within the Assembly in Delhi will act as a timely warning. The refugees who filtered through from Sinkiang may or may not have brought with them their quota of poison. Those few who later settled in India or Pakistan were exemplary in their behaviour, refusing assistance and making good on their own merits. It is therefore too soon to say whether or not Communist infiltration in this part of the world is effective. The opportunity is there; and according to future trends in Asia as the international scene changes, it will or will not be exploited.

<sup>1</sup> Dras and the Zoji La were both recaptured from Pakistani irregulars in November 1948.



## CHAPTER ELEVEN

### STRATEGY AND AMERICAN MILITARY AID

**I**N a previous chapter I indicated the military advantage which Pakistan enjoyed in the brief campaign of 1948 through the circumstances by which India was bound to reinforce her front, using only one indifferent and vulnerable road which ran west out of Jammu. In contrast, Pakistan could choose her point of attack from any one of several alternatives and not have far to move her troops in doing so. Here was some justification for Nehru's fears in relation to American military aid accepted by Pakistan. Doubtless his military advisers drew his attention to the position; and indeed from the point of view of their own defence problem they would have neglected their duty had they not done so. The question then arises as to whether in the mid-twentieth century two nations relate their mutual policies only to considerations of strategy. It should be appreciated that if after demilitarisation in Kashmir either country attempted to stage a military comeback into the country, war could not be contained within Kashmir a second time. It would immediately engulf the entire sub-continent. It could therefore hardly matter where troops were deployed, wrote Mohammed Ali. The immediate strategic advantage to Pakistan would be rapidly lost in the wider strategy of an all-out war between the two countries. Why then bother about strategy? Why not get on with the task of the Kashmir settlement?

In turn, Nehru could argue that American military aid must obviously also strengthen Pakistan's hand for just such a war. Mohammed Ali's contention, that a suicidal inter-Dominion war would in fact be worse for Pakistan than for India, would then become meaningless since American aid restores the balance.<sup>1</sup> It is against this background that we should consider Pakistan's acceptance of military aid from America, and with it her whole position in the battle of rival systems in a divided world. It may be of use if we first survey the sequence of moves which led up to the present situation.

The story begins in January 1952, when Mr. Jacob Malik, Soviet representative at the United Nations, after a silence of four years on the Kashmir issue, suddenly intervened with that instinct for the moment to create confusion which is a familiar feature of the Soviet contribution, and which has already been noted.

Whether or not this outburst was intended to assist the Communist vote in the Indian elections, at that moment it could only have been an

<sup>1</sup> Mohammed Ali's letter of 29th March 1954 to Nehru.

embarrassment to the Government of India. But for us the interest was that, for the first time, there was mention of "air bases". Here was the first occasion on which was suggested the possibility of a wicked Western policy of "containment" being brought to India's back door. It is only fair to Mr. Malik to record that previously he had received every encouragement from Sheikh Abdullah. It will be recalled that at one stage the Commonwealth Prime Ministers had made an offer to provide Commonwealth forces to hold the ring during the elusive plebiscite. Abdullah promptly dismissed the proposal as "Imperial control by the backdoor"; and he spoke of the suspicions which the presence of Commonwealth troops in Kashmir would arouse in the minds of her neighbours. In short, he voiced the identical objections which later were to be raised by Mr. Nehru. Abdullah left. But it is as well to remember that the present Kashmir administration includes men in no way interested in Western theories of global strategy; and there is no reason to suppose that those in power now are any less sensitive to the term "air base" than was Sheikh Abdullah. In the meanwhile the Government of Bakshi Ghulam Mohammed has all the more securely entrenched itself.

The next link in the chain was to be noted a year later, in January 1953. A rumour that Pakistan was about to join a Middle East Defence Organization (M.E.D.O.) disturbed the Indian Press. Quite rightly the *Hindustan Times* drew attention to the fact that the defence of the sub-continent was a single problem to be shared by India and Pakistan. But having made a correct analysis, it then drew the Indian conclusion, so far removed from the realist approach, that at all costs the need to defend the sub-continent must never arise. Vaguely the Indian Press doubted the wisdom of Mr. Nehru attending the Coronation, and there was some rather loose talk of India leaving the Commonwealth. Any association of Pakistan in Middle East defence was again referred to as an Anglo-American move of sinister intent, and Mr. Nehru spoke in terms which were to become familiar, of "the cold war being brought to India's frontier".

In spite of a denial of hidden intentions by the United Kingdom High Commissioner in Delhi, Indian suspicions lingered on. While the normal arguments associated with her neutrality were those presented to the public, at higher levels there were more involved reasons. Any movement which suggested that Pakistan might be attempting the leadership of an Islamic bloc in the Middle East, with its consequent repercussions on a large Moslem minority in India, would be most unwelcome. It is in the nature of an antidote to such a tendency that, consciously or unconsciously, India has lent encouragement to an overall Arab-Asian loyalty based on the far safer proposition of a common distrust of Western colonialism.

Little more was heard of the Indian complaint until November 1953. At that time Mr. Ghulam Mohammed, the Governor-General of

Pakistan, was in America for urgent medical treatment. It so happened that General Ayub Khan, the Pakistan Commander-in-Chief, had been in Washington a few days earlier. As is usual, the American Press were quick off the mark; and on 15th November Mr. Nehru referred to the reports circulating in America that Pakistan was about to receive military aid. On 18th November President Eisenhower had to submit to a verbal bombardment at his Press conference. He gave little away, cautiously emphasising that Indian reactions would be watched very carefully in any arrangements which might emerge.

On 30th November the Soviet registered their protest, again picking on air bases as the focus for their accusation. They revived the previous rumours of Pakistan's participation in Middle Eastern defence and summed up these two aspects of Pakistan's intentions as a threat to the Soviet Union. They were naturally joined by the Peoples' Republic of China.

In the first days of December both the Pakistan Governor-General and Prime Minister issued denials of any formal military alliance. In particular, they denied the stories of American air bases. A Karachi official, however, was reported as having admitted informal negotiations for arms with a guarantee that they would not be used for aggression.

On 20th December Pakistan answered the Soviet note with a non-committal comment into which could be read any suitable interpretation.

"Pakistan does not contemplate taking any step in hostility or unfriendliness to any Government or State with which it has friendly relations." One wondered exactly who *would* take so curious a decision!—and this very correct but hardly profound observation only appeared to mirror a natural desire, so frequently manifest in international affairs, for a country to enjoy the fruits of an agreement without the awkward publicity of a formal pact. A more substantial background to negotiation was indicated by Mr. Mohammed Ali's greater precision on 17th December when he repeated that while there was no pact, "our aim is to make ourselves strong militarily and stop any evil designs on our country."

By the end of December the Indian bazaars had started to elaborate their own ideas. Thus when the correspondent of a London weekly newspaper wrote of aid taking the form of a meal which Pakistan could not possibly have digested, in India it was believed.<sup>1</sup> At the same time fuel was added to the fire by the suggestion that Pakistan's intended expansion was based on secret information concerning a pact between China, Russia and India in the event of war. This was indignantly denied, but not before Indian public opinion had been thoroughly shaken. In one week in January 1954 Mr. Nehru addressed a meeting on the subject every day. Hitherto the Indian approach had been the

<sup>1</sup> Seventeen destroyers, four heavier vessels, 3,000 planes, £4,000,000 spent on aerodromes and an army of U.S. technicians.

acceptance of the simple proposition that American aid to Pakistan would be the means by which India would be brought into contact with the cold war. America was therefore to blame for endangering the sub-continent as a whole. But as time passed the emphasis shifted and more attention was paid to alleged Pakistan intentions. In an interview on 11th January 1954 with the representative of an American magazine, Mr. Mohammed Ali dismissed the idea of 76 million Pakistanis attacking 360 million Indians as fantastic. Certainly from the speeches and statements made at the time by Pakistan officials, it seemed that we were merely witnessing the development of a normal and practical policy of national security such as we in the West have pursued in these last few years. Mohammed Ali refused to accept that aid for his country constituted any threat to Asia. On the contrary, he regarded a strong Pakistan as a source of confidence both for the sub-continent and for Asia; and he added that his country was going to accept no dictatorship from any Power however strong. "Pakistan will tolerate no interference with her domestic or foreign policy from any quarter whatsoever." The words could be aimed in any direction and at any combination imaginable. Throughout this period and in the subsequent months nothing was said of the scope or form of military aid which was to be accepted.

On 19th February 1954 a simultaneous announcement was made in Ankara and Karachi telling the world of a treaty of friendship between Turkey and Pakistan. In its wake on 22nd February Mohammed Ali formally announced that the United States had agreed to give Pakistan military assistance under the terms of the U.S. Military Security Act.

The terms of the treaty with Turkey were not very precise. There were references to the need to establish closer relations in the political, economic and cultural spheres. In so far as a military understanding was mentioned, it was agreed that methods to "strengthen peace and security in the interests of all peace-loving nations" would be considered. If the phrases seemed nebulous to outside observers, the new treaty was certainly regarded as of substance and real value by the two negotiators; which was all that mattered. Thus on 20th February, *Dawn* commented, "It heralds the biggest event of Moslem or even world significance since the birth of Pakistan."

As to the agreement with the United States, President Eisenhower pointed out that the Mutual Security legislation directed that if aid was misused or abused—that is to say if it was used for any aggressive purpose—then the United States was bound to take action either within or without the United Nations to thwart aggression. Equipment or anything else received under the aid could be used only for internal security, for legitimate self-defence or for participation in the defence of an area of which the country formed a part. Reinforcing these conditions was a definite undertaking not to engage in aggression. Mr. Mohammed Ali himself interpreted the objective in these terms: "To achieve increased

defensive strength and a higher and stronger degree of economic stability, designed to further international peace and security within the framework of the United Nations Charter . . . to provide for the State's own legitimate defence and enable it to participate in the United Nations system of collective security." There followed once more a categorical denial of any aggressive intention. At this point the Pakistan Prime Minister allowed himself some diplomatic licence. "We have to wait to see the reactions of the United States to our *request* for military aid." I think it is fair to assume that the process of sorting out from which side the initial proposal came would be unreal. On these occasions, like Topsy in *Uncle Tom's Cabin*, developments "just grow"!

I have picked on the high lights in the various statements made, to indicate that the surface evidence was merely that there was a recognition of the practical interests of international security and a complete identification of Pakistan with those interests. A closer analysis of the situation and its general international implications will follow. But first I would turn to the Indian reaction and attempt to understand the nature of the dilemma which confronted India through Pakistan's alignment with Western realism.

If it be conceded that the Americans did not plunge blindly into their commitment without thought for the Indian reaction, there were still many factors from the Indian point of view which could only be regarded as creating doubt and uneasiness both in relation to India's external relations and her own internal political situation. The Indian case was not easy to disentangle. India objected to her neighbour receiving American aid. Exactly why? A number of inter-related motives could be regarded as obscuring the Indian objection. Kashmir, and the prospects of a little more physical force behind Pakistan's argument, the fear of the abandonment of the principles for which Mahatma Gandhi had lived and worked, a natural reluctance to divert funds for a five-year plan to armaments, an honest desire to keep the country in isolation in the war of ideologies, indeed to keep as large an area in the world free from the fever of the war mentality, a horror of the physical devastation of modern warfare, and a purely political motive; the need for the Indian National Congress to take the credit for a popular policy, depending as much on playing on the doubts surrounding Pakistan's intentions as on anything else.

We need to draw a distinction between Mr. Nehru's own views and those of his public. Illogical as it seemed to speak of 76 million attacking 360 million, it was this prospect which was in the minds of the Indian public. At the time a trusted correspondent from the Indian Continent wrote to me saying that much would depend on the size and scope of the aid which Pakistan would receive. If it was confined to the modernisation of equipment and aerodromes, of the nature of \$25,000,000 a year, India would resign herself to it, since it would not question her margin of security. But if it was large and ostentatious, if it took the form of the

latest aircraft, the Indian action might be explosive. Public opinion would then insist on India's forces being increased.

Here would be Mr. Nehru's dilemma; for Mr. Nehru is extremely sensitive to his public opinion. Seldom has he been out of tune with the public for more than a few days; while in the case of Pakistan's acceptance of military aid, he had the support of every section, from the Hindu Mahasabha to the Communists. These were the views of a shrewd observer in the spring of 1954. Yet a year later American aid, though still resented, could not be regarded as an issue to set the Punjab frontier ablaze. Just as the ominous forecasts concerning the effects of S.E.A.T.O. were falsified once the deed was done, so in the case of the American aid, the shouting died down once India had recovered from the first shock.

*But if the fact of American aid was accepted, a war psychosis lingered on.* It can best be indicated by a comparison. Only a madman would speak of Canada and the United States going to war. Yet no one would be mad who to-day spoke of war between Pakistan and India, even though in both countries there is now a sober recognition of the consequences. In such circumstances Mr. Nehru might yet have to turn somewhere and ask for arms in a big way, thereby acknowledging not only his own defeat but also the defeat of a policy generally accepted throughout his country. The electorate might be quick to spot their own failure, and in such a predicament they would have little respect for former leadership at the polls. What would happen? Nehru has become an electoral necessity to the Indian National Congress, and his replacement would destroy the party. Some would then follow him into intellectual isolation, others would turn to the right or the left. But the bewildered mass of public opinion seeking first and foremost its national security might well accept it from the first to offer cheap and effective assistance. Officials in Delhi and the Liberals might have clear ideas on the morality of changing sides. The electorate would make no such fine distinctions. If I have indulged in hypothetical speculation, it was not for the purpose of tracing a possible development so much as to indicate my meaning in stressing the nature of a "dilemma". For all these elements remain as shadows in the background, even though their actual forms may never cross the stage.

In stating that India was united when the first impact of the understanding between America and Pakistan took effect, I had in mind in January 1954 that Congressmen, Socialists, Praja Socialists and Communists were to be discovered on the same platform. But if this was the effect in India, there were also similar repercussions in Pakistan. In Karachi and Lahore it would not have been difficult to find those who for various reasons would have opposed the American aid—until Mr. Nehru and the Indian Press started up their chorus of disapproval. The point is of interest, for it calls into question the exact motives of Pakistan. It could hardly be claimed that there is a nation-wide burning desire to

halt Communism in the way in which thought has developed in the West, because the conditions on Pakistan's frontiers, and indeed the whole set of circumstances, political, economic and psychological, are different from those which pertain to Europe. In Pakistan the motive is therefore not confined to the protection of the ethics of democracy. Rather is it an appeal to the emotions of nationalism which often enough are shared by the patriot who asks nothing more than to serve his country. As to the Indian desire to keep armies and all that they stand for at a distance, it is difficult to enter the controversy without writing a book about it. Each man will have his own ideas. For myself I have come reluctantly to the conclusion that sooner or later the issue of choice between two rival systems catches up with a nation or a people wherever they may be. An island in the mid-Pacific may finally have to make up its mind where it stands. If a country could forgo the luxury of moralisation and take no part whatsoever in international controversy it might conceivably escape; and how grateful a tired Europe has been through two world wars for the haven of sanity which Switzerland represented. If India could have been regarded as an Eastern manifestation of Swiss neutrality, would we not welcome another such political oasis in the East? Unfortunately the mere size of a country seems inevitably to involve its participation in international negotiation; and it is the attempt both to influence affairs and claim neutrality which appears to me a contradiction.

We will bring the argument back to issues which are more immediately relevant. It will be recalled that in the autumn of 1954 the Governments of India and Pakistan simultaneously published the series of letters which passed between Mr. Nehru and Mr. Mohammed Ali regarding Kashmir, in the form of a White Paper. At this stage it may therefore assist us to follow the story if we note the point at which the issue of American military aid became entangled in the thread of argument concerning the Kashmir issue.

The penalty of objective observation is often to see and appreciate both sides of a case with sympathy. Mohammed Ali had claimed that his acceptance of military aid was not only in his own country's interests but also in those of India and the whole of Asia. To this Nehru replied, "The total difference in our outlook is exemplified when you say that such aid given to Pakistan will add to the security of India. We think that we have nothing to fear from the attack of any country, but lining up with one of the Power blocs brings insecurity and danger, apart from this being a step away from peace."

The Indian Prime Minister was right in one assertion. *The total difference* in outlook was certainly exemplified, the one realistic, opportunist in the less heinous interpretation, Western and decisive; the other idealistic, gullible, yet passionately sincere.

It might perhaps have served Pakistan's purpose more effectively if Mohammed Ali could at an earlier stage have taken Nehru into his

confidence concerning the decision to take military aid. In the Nehru-Mohammed Ali correspondence the most effective passage in which I could discover his reasoned defence reads thus.<sup>1</sup>

"We have sought military aid from the U.S.A. so that, given this assistance to strengthen our defences, we may be able to devote our domestic resources increasingly to the development of our economy. We believe that by doing so we can better serve the cause of peace in this area. . . . We do not have, we cannot possibly have, any intention of using this aid for the purpose of settling the Kashmir dispute by force.

I know you hold a different view. You think that military aid will produce tension and a sense of insecurity. You also hold the view that there is a basic difference between the economic aid that you are getting and the military aid that we propose to receive, while in my view the difference is merely a matter of form and the resultant effect, that of strengthening the military and economic potential of a country is the same in either case. While I do not share your views, I respect the sincerity with which you have expressed them. May I hope that you will credit us with the same sincerity in holding our views in this matter?"

The first reference to American military aid in the correspondence appeared in Mr. Nehru's letter of 9th December 1953. Apart from the familiar arguments, the letter introduced the suggestion that the acceptance of aid might bring in powerful influences from outside which would challenge the newly-won freedom of Asian countries. The scope of Pakistan's receipts was not known, but the *New York Times* had apparently spoken of an army of a million men to be trained. Such an expansion could only be regarded as an unfriendly act. Coming to the issue of Kashmir, Nehru voiced his fear that greatly increased armed forces in Pakistan, even though stationed outside Kashmir, would be in a position to strike into Kashmiri territory at close and valuable objectives in a manner which must involve second thoughts on India's attitude to demilitarisation. I would again comment that, setting aside the political issue, from the point of view of an Indian military commander the possible dangers were obvious.

Ten days later, in a letter of 19th December, the Indian High Commissioner in Karachi delivered a message from Mr. Nehru to Mr. Mohammed Ali linking the question of Admiral Nimitz's appointment as Plebiscite Administrator with that of military aid. As the national of a great Power, Nimitz was now not considered suitable. There never was any doubt as to his personal integrity; nor, indeed, when later American officers of the Observer Corps were withdrawn from Kashmir was a

<sup>1</sup> Mohammed Ali's letter of 29th March 1954 to Nehru.



single individual charge of partiality or bias levied. But they represented the country giving military aid to Pakistan and presumably the same objection covered Admiral Nimitz.

As has been noted, the desire to replace Nimitz by the representative of a small country was again not unreasonable.<sup>1</sup> In his letter of 4th February 1954 Mohammed Ali indicated that while he did not share Nehru's views on the appointment of Nimitz, he was prepared immediately to select a new administrator for the plebiscite.

Meanwhile in Mr. Nehru's letters the general complaints about military aid continued. Rather prematurely, he suggested that countries in the Middle East resented the aid. In the light of subsequent developments it could be claimed that at least three of them accepted the position of Pakistan's participation in Middle East defence. The arguments continued. I doubt if there is profit in an analysis of every reference, for there was much repetition. The passages which have previously been quoted aptly illustrate the gulf which separated Nehru and Mohammed Ali. But in the case of the latter there were certain aspects of Pakistan's policy which perhaps an outside observer could as readily appreciate as one who was closely involved in the political entanglement.

Let me therefore put the Pakistan case in my own words. No modern sovereign independent State can afford to neglect its own defence. Without announcing to the world exactly the purpose for which it requires adequate armament, it merely asserts, as a matter of reality, that, in the absence of effective measures to achieve universal disarmament, its voice carries more weight in international polemics with force in the background than it does without. A poor country with ambitious plans for industrial and agricultural development holding these views cannot afford to look a gift horse in the mouth. If military aid is free, it must be accepted; and in its acceptance local resources are thereby released for other purposes. It is therefore meaningless to distinguish between military and economic aid. Aid, in whatever form it is received, allows a country greater scope in framing either its economic or strategic policy.

To these arguments the Western world would add its hope and belief that in the case of Pakistan, the Western conception of global defence having been accepted, the country is definitely moving into its position as a firm pivot in the emerging system of complementary pacts and arrangements between the United States, Turkey, Iraq, Pakistan and Great Britain. If in the process the Pakistan potential for other purposes is increased, the West is hardly likely to set about a detailed inquiry into motives, as a detective would follow up clues in a crime. For we must be honest. The wider purpose must inevitably include any lesser use which may be dictated by developments nearer home. It is impossible to deny that Pakistan, strengthened with modern arms and equipment,

<sup>1</sup> See Chapter Nine, p. 117.

could, if she so wished, use her increased power to enable her to strike more effectively from off her soil into Kashmir.<sup>1</sup> We have the solemn assurance of the Pakistan Prime Minister that this step will never be taken. Do we believe him? In my own case the answer given, after some thought, is "Yes". In accepting Mohammed Ali's word, I would not claim any necessarily righteous motive for him. I think he and his Government hoped, and still hope, to influence Indian opinion towards a more accommodating approach to the Kashmir problem. Bluff perhaps is too definite a term for their situation. But in so far as it is possible either to distinguish or eliminate a particular motive, I am certain that in the general conditions which in modern times allow for international opinion to be formed quickly and effectively, it is not worth while for any Power to court the censure of the United Nations to the point of provocation—and that applies to Pakistan as much as to anyone else. Maybe these international restraints are sometimes the enemies of justice. We move away from physical war only to transfer our battles on to the conference table; and occasionally the process leaves a defaulter entrenched in the position of his choice.

But if this be Pakistan's dilemma, Mr. Nehru is also not without his problem. The pacifist philosophy is based on the unassailable proposition that armament begets more armament. Correspondingly, if one side forgoes the right to arm, the other will also. If at the time a nation, A, enjoys superiority in armament over its neighbour, B, it will refrain from increasing its lead. Apply the argument to India's predicament in relation to Pakistan, and it will be seen that Nehru finds himself entangled in the beginning of an armaments race entirely opposed to his whole approach to international affairs. Nor, if we are to believe Mr. Mohammed Ali, would his particular problem disappear if the Kashmir issue was solved. For if the receipt of foreign arms and equipment has nothing to do with Kashmir, on her own declaration, Pakistan would still require the completion of her armament programme.

It remains only to record a few impressions of the way in which Pakistan's contribution to global strategy might develop. We may assume that the obvious purpose of an aggressor striking into the Middle East would be first to separate the North Atlantic Powers from the Indian Ocean, and secondly to deprive the West of oil. Only 400 miles from the Iron Curtain is the richest prize in peace or war which an enemy could desire, the fields of the Iraq Petroleum Company. Extend the scope of his advance, and Abadan and Kuwait would be included; while the old nostalgia for a warm-water port could at the same time be satisfied.

There is much loose thinking over oil strategy. To remove the oil for himself, an enemy would need the use of long pipe-lines over high

<sup>1</sup> Under the terms of the U.N.C.I.P. Resolution of 13th August 1948 the forces on the cease-fire line may not be increased, the U.N. Observer Corps carrying responsibility for seeing that this restriction is observed.

mountain passes, which do not exist. To deprive the West of oil would, however, be a motive quite sufficient to justify the attempt. What, then, might happen? The fields would be prepared for destruction, as they were once before. The oil of the Middle East, if overrun by an enemy, would then be lost to either side. Any satisfaction of denying oil to an enemy through the destruction of the fields would be balanced by the immobilisation of the West through the loss of its oil.

It is to strike at any enemy swiftly and effectively, so that his distant bases would be destroyed and his deployment thrown into confusion, that a new conception of Middle East defence has emerged based on the ability to man and equip air bases with Western assistance. There remains always the possibility of a hurricane parachute attack on centres such as Abadan, which might well defeat all previous precautions.

Into this general picture how and where can the Pakistan contribution play its part? We should remember that after the bombs from the air have dropped, men are still needed on the ground. A squadron of bombers cannot hold an oil field. If we concede that so far as the air is concerned the network of understanding between Turkey, Iraq, the United States and Britain is the basis of defence, we should further recognise that Pakistan has one golden asset at her disposal. It is her man-power. Pathans, Poonchis, Tiwanas, Janjuhas, Awans, Gakhars and many others represent clans which have the business of soldiering in their bones. I can remember the time when we wondered how officers who could handle a troop of men and horses across country with unfailing skill would acquit themselves once they found themselves inside tanks faced with the complexities of navigation and a wireless set. We need not have worried. For such reasons it required only a little reflection to realise that American military aid to Pakistan would naturally take the form of exploiting the availability of men in large numbers. If time was on the side of the West, we might conceivably see the development of air-power in Pakistan to supplement and strengthen the role undertaken by Turkey and Iraq. Those ominous air bases which were of such concern to India might then receive some significance. Time is, however, the enemy of the perfect arrangement. The second best within our reach becomes a wiser choice than the best, for which we would have to wait. We may therefore assume that there is in mind the equipment of a Pakistan Army on modern lines ready to undertake the task assigned to it: and the question arises as to what is the nature of that task.

In 1955 I was in Karachi at a time when Pakistan's relations with Afghanistan could hardly have been worse. Pakistan had just declared her intention to proceed with the scheme to transform Western Pakistan into a single unit, and the Afghans had seized the opportunity to resuscitate their case for "Pakhtoonistan". The Pakistan Embassy in Kabul was attacked, and as a result a less responsible leadership in Karachi might

have led Pakistan into war without difficulty. To probe deeper into this matter was to inquire into exactly what was happening in Afghanistan. Our minds go back to the nineteenth century, when Afghan soil was regarded as the goal of Tsarist expansion and school teachers were busy emphasising a very convenient example of the "buffer" State. Is it so different to-day? I doubt it; and if I am right, there follows the conclusion that a legitimate role for Pakistan in the containment of aggression, is to watch her Afghan border and the frontiers beyond for a few years, in much the same way as was the case in the days of Lord Roberts, only with a greater sense of urgency. If after provision for a situation in the north-west there are then left over sufficient forces to equip an Expeditionary Force, this would obviously be welcome to those whose responsibility it is to plan for defence in the Middle East.

How do these assumptions affect Kashmir? Enough has been said to indicate that we must accept Pakistan's good faith; and I would only emphasise again that in arming for the greater contingency it is quite impossible to avoid being placed at some advantage for the lesser need.

It is easy to put down on paper the theories which should govern strategy. It is quite another matter to apply them on the ground. In my own judgment there was in Pakistan a situation more psychological than representative of any single feature of disagreement. In short, Americans, Englishmen and Pakistanis were hardly working together as one team in pursuit of a common purpose, with the result that the nature of that purpose and the strategy which should govern its achievement had never been discovered. Somehow I felt that the Americans had little understanding of the manner in which a Pakistan Army had come into being. The roots which the Pakistanis themselves were so jealously preserving, were buried in a century of tradition; and it was sad to see American minds working in a groove confined to the experience of the last ten years.

I would not have it believed that the acceptance of military aid by Pakistan is a simple matter. The truth is elusive. I doubt very much if Pakistan leadership itself had concise ideas to govern its inclinations. Policies in themselves are seldom lent to clear definition. They indicate a mode of thought rather than the thought itself. For our purposes, however, we need place no immediate or sinister interpretation on decisions which in broad terms support our own views, even if the details in local application are sometimes controversial.

The reader may feel that in this analysis of strategy the "war" mentality has dominated the argument. I would offer this reflection in defence. The motive of fear is now so firmly and universally entrenched in the minds of leaders on either side of the Iron Curtain that the prospects of a third world war have receded so as to become almost a hypothetical issue. This is not a very lofty interpretation, but I suggest it is

of practical comfort. The moves and countermoves of speculation may therefore be regarded, not as the certainties of to-morrow, but rather as the kind of appreciation which any Chief of Staff has to have ready for presentation to his Government. Let his labours remain locked away in a "confidential" cupboard. It is his duty to prepare his statement, even though it remain, by good fortune, a museum curio for the satisfaction of the future historian.

## CHAPTER TWELVE PERSONALITIES AND THE OBSERVER CORPS

A PERSONALITY who until recently had not yet figured overmuch in the Kashmir dispute is the young Yuvraj Karan Singh, only son of Maharaja Hari Singh, and now accepted as the Constitutional Head of the State. I had the pleasure of meeting him for the first time on 6th January 1952 at his house in Jammu. It is possible that he may be destined to play his part, for he has charm and ability with little of the traditional background with Sheikh Abdullah. He has inhibited his father from accommodation with Sheikh Abdullah. He suffered cruelly from ill health and accident, and he was hurried out of Srinagar in an army lorry on 26th October 1947 and dumped down in Jammu bound up in plaster-of-Paris. Subsequently he went to America for treatment and study, and he took his degree in political economy in Srinagar, having worked under private tuition.

On my first visit I was curious to discover his exact relationship with his Prime Minister. Since 20th June 1949 he had acted as Regent, for it was finally on that date that it became obvious that his father could no longer remain in the State. He described relations as "excellent". He was prepared to remain a Constitutional Ruler. He received an adequate privy purse and he looked forward to assisting the democratic progress of his people. He seemed to be a young man who in normal times would have been the focus of the affection of his subjects, capable of leading Kashmir forward to a happier destiny of freedom. It was therefore disappointing to find later in the day, in talking to Sheikh Abdullah, that the Sheikh did not appear to reciprocate this friendly approach. He recognised monarchy as a necessary evil appendage of government at that stage, but I had the impression that he would be quick to abolish it on provocation if the fate of a united Kashmir could first be settled to his satisfaction.

Abdullah did in fact openly express his views when addressing his Constituent Assembly in Srinagar on 5th November 1951.

"So far as my Party is concerned, we are convinced that the institution of monarchy is incompatible with the spirit and need of modern times which demand an egalitarian relationship between one citizen and another. The supreme test of a democracy is the measure of equality of opportunity that it affords to its citizens to rise to the highest point of authority and position. In consequence, monarchies are fast disappearing from the world picture, as something in the nature of feudal anachronisms."

Abdullah continued with a picture of the circumstances which had finally rendered Maharaja Hari Singh's position untenable. Having well prepared the ground for an extension of his attack to fit the existing conditions, he rather surprisingly paid a warm tribute to the Yuvraj.

"Our judgment should not be warped by ill will or personal rancour. During our association with Yuvraj Karan Singh these last few years, I and my colleagues in the Government have been impressed by his intelligence, his broad outlook, and his keen desire to serve the country. These qualities of the Yuvraj single him out as a fit choice for the honour of being chosen the first Head of the State."

In conclusion Sheikh Abdullah was willing to recognise the Yuvraj as a "fitting symbol". It was as a "symbol" that India was prepared to recognise the Crown in her relationship with the British Commonwealth, and the conception may have proved infectious. Whatever may have been Abdullah's personal appreciation of Yuvraj Karan Singh, his official attitude seemed charged with that ambiguity which surrounded all his future intentions.

That was my assessment of the Yuvraj's situation in March 1952, and as the months went by the tendency to which I have drawn attention seemed to be developing into a crisis. It did not take quite the form which might be expected, for there was little public evidence of any ill feeling between the Yuvraj and Abdullah. Instead, as a result of protracted negotiations with the Government of India, the Yuvraj was finally confirmed as Head of the State after the abolition of hereditary rulership.<sup>1</sup>

In so far as the two Governments are concerned these matters were finalised in the eight-point agreement which Pandit Nehru announced in the House of the People on 24th July 1952.<sup>2</sup> In spite of the Prime Minister's ability to silence criticism, it was obvious that the foundations for agreement were not secure. Vigorous opposition came from Dr. S. P. Mukerjee, President of the Bharatiya Jan Sangh, who naturally resisted any tendency to deprive India of opportunities for expansion. But it was the uncertainty of Abdullah's intentions which lent definite commitments the nature of doubt.

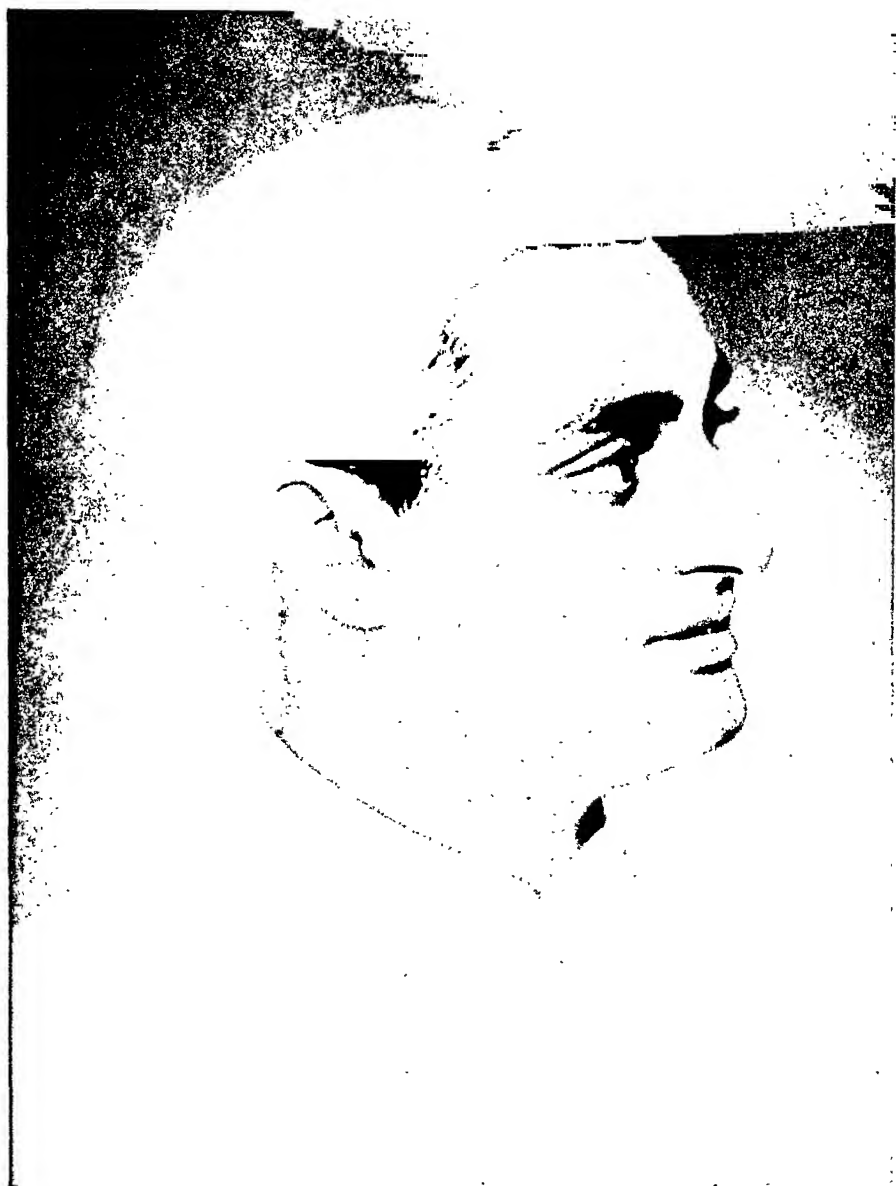
The immediate status of the Yuvraj was not affected by the change, since he was immediately elected Head of the State. But on his death all association of Kashmir with the Dogra House of Gulab Singh will presumably cease. Previous to accepting the appointment the Yuvraj had obviously been in some doubt as to his position. If he could perform no useful purpose he was not prepared to play the role of a complete puppet. He seemed to have received reassurances from Delhi, although

<sup>1</sup> These developments are described in Chapter Fourteen.

<sup>2</sup> See Appendix XI.







YUVRAJ KARAN SINGH. HEAD OF THE STATE. KASHMIR

at the time it remained to be seen if he would be allowed to maintain a position of any dignity or influence.<sup>1</sup> Should the circumstances ever arise, the Yuvraj, if he chose, could command a considerable following among his Dogra subjects, and for that reason I could not agree with *The Times* correspondent in Delhi that the move would enhance Abdullah's popularity. A more probable development seemed that it might further widen the gap between Srinagar and Jammu.

When I next met Yuvraj Karan Singh in March 1955 it seemed that he had developed in mind and character. A keen awareness of the world outside his mountain isolation was manifest in the many questions he posed. I have never been able quite to reconcile myself to the paradox of a university degree in association with absorption in the mystical intricacies of the Hindu pantheon. Since I saw him last he had paid a visit to the Hindu Shrine at Amarnath. The cave of Amarnath lies some thirty miles beyond Pahalgam in the beautiful Liddar Valley, and its devotees must trek the distance on foot or by ponies, climbing to a height of 13,000 feet. In ancient times the journey represented a sacred pilgrimage; for the cave, dedicated to the Lord Shiva, is steeped in mysterious tradition. Ice-formations within its cavity lend themselves to all manner of mythical interpretations. Around the theme of a pilgrim's homage the Yuvraj wrote an essay which first appeared in the form of three articles in the Sunday editions of the *Hindustan Times*. For me this tribute of great eloquence and sincerity must always be coloured by an instinct for superstition, and a refusal of anything which savours of it. But I would not hesitate to appreciate the sincerity of one who was born into the world of Hindu orthodoxy. Reading "The Glory of Amarnath", I was reminded of the circumstances through which large and influential sections of Hindu society will continue to regard the Kashmir Valley as their inheritance. The position is reflected in the publication in India of an elaborate illustrated periodical *Kashmir*, in which no mention of contemporary politics will be found. Instead, with skill it is assumed that no problem exists and that the country represents only a wealth of undiscovered ancient folk-lore.

Constantly on the Indian side an inquirer will experience this passionate desire to present Kashmir as an ancient Hindu heritage. Sometimes the theme will be momentarily lost in an obscure but effective indirect approach. At other moments the references are more certain. When, for example, the population turn out to build catchment tanks for water in the Lolab Valley the *Hindustan Times* reminds us that in ancient times a famous engineer, Suyya, in the reign of King Avantivarman procured

<sup>1</sup> Karan Singh was formally sworn in as "Sadar-i-Riyasat" on 17th November 1952. On that occasion he spoke of the Kashmir dispute in terms which allowed for no optimism: "The unfortunate tendency to equate the aggressor and aggressor's victim has led to a deadlock and it is hoped that this attitude will once and for all be laid aside. Any attempt to impose an arbitrary solution seeking to circumvent this fundamental aspect cannot be acceptable to us."

peasant labour to remove large boulders in the Jhelum by the simple device of placing some gold coins under a few boulders and trusting that the incentive would be sufficient to encourage the removal of the lot. That there has been a carefully conceived policy to accustom the public to regard Kashmir as inherently and without question Indian is natural and obvious. What was less obvious was the extreme skill with which the technique of understatement has been employed. To present history, art, craftsmanship and culture without embroiling these various reflections on Kashmir in the contemporary political *débâcle*, was for India an extremely wise omission. So far as the Yuvraj is concerned his devotion to the ancient tradition is utterly sincere. On the political side he remained in 1955 the constitutional ruler, alert always to the situation, accepting completely the relationship with India, yet resisting the temptation in any way to interfere. It is of academic interest to speculate as to what would be his fate if the valley were ever to pass to Pakistan's control. Presumably Jammu Province would then be regarded as his exclusive interest and the Government of India would be only wise to afford him a position of influence as a symbol of his dynasty and offer him their full support.

In my only meeting with Sheikh Abdullah I had been prepared for a more aggressive personality; and the Sheikh's approach, which, though stubborn, was quiet, took me somewhat by surprise. He repeated the well-known argument. A plebiscite could be held only when a reunited Kashmir came under the administration of his legal Government. He stressed that even Pakistan had not recognised the permanent status of the Azad Government. He must be given the chance to re-establish his administration over the whole. He would agree to allow "local authorities" to function in Azad Kashmir who would be responsible to the United Nations; but they must be nominated by his Government. After a conversation of over an hour I found myself wondering what would be the nature of his relations with the Government of India if ever the circumstances permit him freedom of choice in action. In discussing the choice before his country his final words to me were "My mind is open". Whether he meant it, I know not. In Pakistan I found opinion divided about Abdullah. There were those who regarded him as a tool of India and a traitor to Islam. There were others who admitted that his influence was something more than that of a political mountebank. Not a few seemed to harbour some secret appreciation of the man. Others would have me believe that the real power lay with his deputy, Bakshi Ghulam Mohammed, and that Abdullah was to Bakshi as Hindenburg to Ludendorff.

Abdullah is in fact something of an enigma. Born in 1905 in a village on the outskirts of Srinagar, his father, a shawl weaver, had died before his birth. After an education at the Islamic College, Lahore, he graduated at Aligarh University and became a school teacher, rapidly developing an intelligent interest in practical Socialism. Indeed, the squalor of

Srinagar was just the environment for the exercise of his urge to reform, and while others merely talked of Dogra oppression, the secular Welfare State became his dream. Whether his political courage deserved the title "Sher-i-Kashmir" which his more adulatory followers bestowed upon him is open to doubt. The lion in him certainly has much subtlety in his make-up. He conveys an impression of some conceit and opportunism. He has an acute sense of the technique and value of propaganda, and lustily but shrewdly blows his own trumpet. Through the screen of his exaggerated oratory there is yet perceptible the spark of an ideal. The preamble to his resolution before the Kashmir National Conference in 1944 speaks of a "determination to make this our country a dazzling gem on the snowy bosom of Asia", which, adequately enough, conveys the synthesis of idealism, showmanship and material ambition which governs the lives of greater men than Abdullah. His declared devotion to everything secular and his abhorrence of everything communal should command the respect of all those who in the West have tasted the barren futility of physical or mental communal strife.

In the spring of 1955 I had the chance of a talk with an English missionary, Mr. Phil Edmonds, who probably knew Abdullah as well as anyone in the world. For eight years Edmonds had been Principal of the C.M.S. school in Srinagar, and many of the sons of Kashmir's political leaders had come under his guidance, including those of Sheikh Abdullah. He stressed Abdullah's complete lack of judgment either of a situation or an individual. He disliked intensely his refusal to accept criticism. He acknowledged the erratic nature of his leadership, and yet he ended by admitting that in his view his human qualities outweighed his obvious limitations. Elsewhere I have attempted to present Abdullah's apology, as it was presented to me by Mr. Edmonds, for the snake-like appearance of his political movements.

Here I would refer only to one feature of his technique, which was his power to move the masses by his oratory in a way that no other Kashmiri can in any way hope to emulate. When Abdullah was to speak, the peasantry would be there in their thousands to drink in his words. It was probably a realisation of his own power in the particular sphere that led him on to dangle the attractions of independence before his people: for here was a theme which, after the drab but necessary details of a five-year plan had been disposed of, would sweep him and his audience away into Elysian fields more appropriate to his talent and the beauty of the valley which was his constant inspiration. If and when this rather baffling individual is in a position again to enter the political arena, I am inclined to believe with Mr. Edmonds that the people would again turn to him and accept his verdict on their future whatever the intervening years had interposed in the way of consolidation.

At first sight it is difficult to reconcile Abdullah's popularity with the bogus manner in which his first Constituent Assembly was elected. Could his National Conference Party not have won their position on his

name without resort to the methods by which their opponents were eliminated? It is not an easy point, and the answer must be that, in the case of the Kashmiri, popularity is effective only in application to the leader and is not necessarily extended to include either his followers or his programme. There would seem some analogy in the position of General Neguib and the affection in which he was held by the Egyptians.

Abdullah is a Kashmiri; and as a Kashmiri we need to think of him in relation to the problem of his country. For years his life was one of tough and unrelenting struggle against the Government of Maharaja Sir Hari Singh. Once this background of conflict is understood, we can appreciate how the Indian National Congress rather than the Moslem League always attracted his loyalty. We should be prepared to accept his genuine concern for Kashmiris as such, without communal bias. His whole outlook is one of advanced Socialism, impatient at the limitations of the communal mentality. Nevertheless he is a Moslem who commands the loyalty of numbers of Moslems, for his Government included at least a dozen Moslem colleagues.<sup>1</sup> It was this evidence of genuine secularism in a Government containing many Moslems which led to doubt as to the infallibility of the Moslem League claim to forecast accurately the sentiment of the Kashmiri Moslems of the valley. It was the fact of Moslems in Government which also suggested that perhaps the solution lay in bringing the leaders of Azad Kashmir and members of Abdullah's Government together in conference. In January 1952, when Mohammed Ibrahim and Chaudhri Ghulam Abbas were in disagreement, the Azad Government was led by Mir Waiz Mohammed Yusuf, a Kashmiri of Srinagar.<sup>2</sup> Here, it seemed, was the chance for two Kashmiris, both Moslems from the same city, to meet and negotiate, not as rival envoys of Pakistan and India, but as Kashmiris seeking to reunite their divided country. Such an approach would in effect be but an effort to bring together the Moslem and National Conferences which had gone their separate ways in 1938. Cordial messages of an unofficial nature were exchanged between Abdullah and Abbas; and it appears that at one time or another Pakistan and India would have welcomed such a meeting. But apparently they never both felt the same way on the matter at the same time!

The difficulties are obvious, and we are in deep waters directly we consider the form which such a settlement could take. Furthermore, there is the certainty that while Kashmiri leaders talked, the two great neighbours would never be content to lay hands off the country, and

<sup>1</sup> Sheikh Abdullah is married to a former Christian, a grand-daughter of the well-known Swiss proprietor, Mr. Nedou, of Nedou's Hotel, Srinagar. The pro-Pakistan sentiments of the Begum Abdullah are well known.

<sup>2</sup> I have found it more convenient to separate the involved affairs of the Azad Kashmir Government and concentrate them in Chapter Six. The disagreement between Ibrahim and Ghulam Abbas was obscure. But it appeared that the latter received some support from certain Pakistani Ministers at the expense of the former, at a time when the late Liaquat Ali Khan was in America.

Kashmir would internally be rent in two by political factions seeking to undermine unity in their own interests. The conception of a settlement of, for, and by Kashmiris then becomes a mental exercise rather than a practical contribution. It raises more problems than it solves: and yet this matter has lingered on now for years, so that it would seem right to explore any untested approach. Certainly in February 1952 no official steps had been taken to encourage an all-Kashmiri settlement.<sup>1</sup>

No one can appreciate better the lost unity of the Kashmiris than the few officers of the United Nations Observer Corps whose task it is to see that the terms of the cease-fire agreement are adhered to. The cease-fire demarcation was, after all, a red line drawn on the map without relation to any political or administrative cohesion whatsoever. It represented a military situation, and a military situation only. Moreover, a cow or a goat is not over-concerned with a boundary drawn on the map, whether it be political or military. Consequently the owners living on or near the line might be forgiven if they, too, sometimes forget the political restrictions created for them and in innocence find themselves more concerned with their ownership than with the polemics of Kashmir. When the cease-fire line was first established, no one in the area for a moment thought that it would still be separating Kashmiris from each other after six long years and more; and so innumerable petty local situations involving grazing rights, the irrigation of fields or—in one case—the possession of an island in the middle of the Jhelum, were at first ignored, only to accumulate as time passed, for the general irritation of the people and the United Nations Observers.

My first encounter with the Observers of the United Nations was on a Sunday morning in Jammu, where I woke up a sleepy American officer to try to find out something of his work and the manner in which he set about it. I had no luck. He and his Belgian colleague had had strict orders to give nothing away to inquisitive tourists or journalists, and I was wasting my time. A few days later, however, in Rawalpindi I found General Nimmo,<sup>2</sup> the Chief Observer, most informative and helpful.

The Observer Corps started in a small way under U.N.C.I.P. in 1948. In January 1949 General Delvoie, a Belgian, took over control, and by July the Corps had accumulated thirty-two Observers from the United States, Canada, Belgium, Mexico, and Norway. Delvoie handed over to Brigadier Henry Angle from Canada in January 1950; but the latter was tragically killed in an air crash in July, when General Nimmo took charge.

Nimmo and his officers have hardly an enviable duty to perform. For

<sup>1</sup> I have left this passage as it was worded in 1952. In 1955 the commitments of both India and Pakistan in their particular territorial spheres had become so deep as to make the prospects of an all-Kashmiri settlement out of the question.

<sup>2</sup> Major-General R. H. Nimmo, C.B.E., of the Australian Military Forces, Commander of the Northern Command, Australia, until 1950.

some considerable time both sides regarded them as a nuisance. Yet they have received the fullest co-operation from the local commanders. One Pakistani brigadier, in fact, let it be known that he would remove any officer who infringed the rules. On either side of a central line for a distance of 500 yards is a neutral no-man's land. Here and there, however, certain obvious positions within the neutral zone fall to one side or the other. No new defences may be dug and no increase of troops within Kashmir is allowed. It is in supervising this work and in smoothing out unofficially innumerable local situations of friction that Nimmo's team of Observers discharge their very important responsibility. Behind the front line the Corps is organised in teams at centres of communication, where they live and mess with the troops. Teams are in wireless communication with each other, so that when trouble arises they can quickly meet and settle a dispute by mutual discussion. In order to obviate the possibility of succumbing to the temptations of partiality, Observers are moved from one side to the other every three months; while General Nimmo himself spends the winter in Rawalpindi with Pakistan and the summer in Srinagar with India.

General Nimmo performs no political function. His men are there to observe, and if the two armies were ever ordered to engage each other in battle, his work would cease. He maintains a group at Azad Kashmir headquarters near Muzaffarabad, and, with his own international operators on their wireless sets working in code, he can effectively keep in touch with the scene as a whole so long as it remains static. From his headquarters he is in contact with the Indian and Pakistani Chiefs of the General Staff, while his link with the outside world is direct with the Secretary-General of the United Nations, to whom he renders a fortnightly report. His group, which in 1951 numbered thirty-five officers, was at his request to be increased to sixty-five in 1952. It can hardly be a life of comfort or exhilaration for those on the spot; and yet for a young officer out for a new experience the year's duty with the Observer Group is not wasted. Some of them in their eagerness chafe at inactivity, and one or two no sooner report back from a distant corner of Baltistan than they demand to be ordered on to a new beat on the line. Nimmo himself has stories of curious and unexpected personal attentions of kindness and charity for him and his men from the troops on both sides. It is in such ways that we are prevented from despair in our distant hope that one day there will be no problem.

While I have emphasised that in no way is the Observer Group entangled with the political settlement, it would hardly be illogical to assume that during their period of contact Dr. Graham or General Devers had never sought out the opinion and advice of those who have been so intimately concerned with the Kashmir dispute on the spot. General Nimmo's official role remains that of observing and reporting. But we would like to think that one day his very valuable estimate of the whole problem could be placed at the disposal of the authorities at the United

Nations. For certainly there could be no more balanced or sympathetic counsellor than this very kindly and conscientious international Observer.

When I revisited General Nimmo's headquarters in 1955 there were very few changes in the previous pattern of control to be recorded. After the Indian objections to American Observers in 1954, nineteen Americans had one by one slipped away, as their time was up and had not been replaced. The Corps was down to a strength of twenty-nine officers. Tension had eased considerably and Observers were no longer regarded with suspicion. Indeed, it was evident that on occasions both sides appreciated the feeling that they could use them as safety-valves to receive their complaints or listen to their soliloquies on Kashmir. A tendency had crept in to welcome officers from the Commonwealth. From the beginning the policy had been not to accept officers from the United Kingdom, for the good reason that with other British officers employed in Rawalpindi and Delhi the task of observing would be open to criticism whenever a contact with an old friend was made. With Canadians, Australians, and New Zealanders there could be no such objection; while the fact that they speak the English language is a very practical advantage. They told me the story of a Chilean who, misunderstanding the map reference on which he was to meet his opposite number for an investigation, found himself at the bottom of a valley with his colleague looking down on him from a peak 3,000 feet above!

A precaution which observers have continually to remember is the necessity to prevent any military information passing from one side to the other in the course of their inquiries. For this reason they must leave witnesses behind when they cross sides. That, however, does not prevent an investigation on neutral ground whenever possible with the witnesses from both sides being present. There is an obvious advantage in one witness hearing what the other has to say. General Nimmo again impressed on me that his work was technically confined to the armed forces only. There had, however, been many cases in which soldiers from one side would be involved with civilians from the other; and by 1955 the Observer Corps had come to be accepted by the civil population no less than by the two armies. Indeed, rather pathetically villagers would sometimes turn to Observers and ask them when they were going to settle the whole business!

The great merit of this Corps of picked men is that they work on their beat. Any tendency for officers to live in comfort at a distance and move around when required in high-powered cars would not only bring them into disrepute, but would render their reporting ineffective. They live with or near the commanders whom they have to watch. Perhaps the only criticism of the system might be that they are in danger of becoming too attached to the Indian or Pakistani commanders with whom they happen to be associated! Certainly when some of the Americans had to leave there were those on the Indian side who were ready enough to show their regret.



In 1952 in Indian Kashmir members of the Observer Corps were occasionally approached by individuals, with protests that Asians should take their share of representation in the Corps. It was the kind of mischievous insinuation which could hardly have been actuated by solicitude for Kashmir. The interest of the Indian Communist Party was almost certainly to be discerned in these unconstructive whisperings.

At one stage, the fact that General Nimmo moved from Srinagar to Rawalpindi but never visited the capital of India was criticised in Delhi. Nimmo had to point out that, for the reasons I have given, Delhi would be far too distant a control from which to be in effective grip of his problem. Unless observation can be quickly brought to bear on a reported situation, the Observer Corps might as well pack up. Fortunately so long as they continue to operate according to their present well-tested principles, they will fulfil an essential function in this most curious of situations of potential warfare.

## CHAPTER THIRTEEN

### THE REMOVAL OF SHEIKH ABDULLAH

ON 6th August 1953 at a Cabinet meeting in Srinagar there were some sharp exchanges between the Development Minister, Sham Lal Saraf, and Sheikh Abdullah. This was followed by a letter from Abdullah asking for Saraf's resignation. Saraf replied with a flat refusal. Protesting his loyalty to the National Conference, he made no attempt to conceal the fact that he and his friends thoroughly disapproved of Abdullah's new orientation of policy.

"The manner in which you have created a dangerous situation in the country by making highly inflammable speeches before the public, combined with your authoritarian attitude in the Cabinet, have convinced me that instead of helping the difficult situation my resignation will encourage you to pursue your policies unbridled."

There then followed a most significant passage.

"After fully considering the issue I am of the opinion that I hold my post as a trust from the people, especially the minority communities to which I happen to belong, and it becomes my duty not to betray this trust at a moment of crisis."

Sheikh Abdullah knew as well as anyone else the value of Saraf's claim to represent any section of the people. Saraf, like many others, had been returned unopposed, the opposition having been eliminated by familiar methods. But the interesting feature of his argument was his claim to represent a minority. Saraf was a Hindu, and as a member of the National Conference he surely supported the ideal of the secular State? A communal minority should therefore have been meaningless to him. Yet it apparently suited him to use the communal claim when it came to a matter of removing Abdullah. Such was the nature of the motive presented as a duty not to betray the trust of the people.

Saraf's reply was followed almost immediately on 7th August by a joint letter signed by Bakshi Ghulam Mohammed, Girdhari Lal Dogra, and Saraf to Sheikh Abdullah. The letter was honest, in that it did not seek to establish that Abdullah had lost the confidence of the public. Instead it emphasised the dissension in the Cabinet caused by Abdullah's switches in policy, and it drew attention to the growing bribery and corruption which had crept into the administration under Abdullah's leadership.

"You have tended to act in a manner that has generated uncertainty, suspense and doubt in the minds of the people of the State in general and of those in Jammu and Ladakh in particular."

This was all true. But the real reason for the denunciation came at the end of the letter, where it was stressed that Abdullah was leading Kashmir away from India; a development which was obviously too much for Bakshi and his colleagues to tolerate. The letter ended with a hint of the action which was to follow.

"It is therefore with great pain that we have to inform you of our conclusion that the Cabinet, constituted as it is at present and lacking as it does unity of purpose and action, has lost the confidence of the people in its ability to give them a clean, efficient and healthy administration."

Subsequent events moved swiftly. Abdullah was summoned to the palace, where he had a talk with the Sadar-i-Riyasat. Copies of the letters quoted which he should have received were already with Karan Singh, who, according to the official statement, suggested that a free and frank discussion at the palace by all concerned might solve their problems. This was refused by Abdullah, who promptly left for Gulmarg with two of his colleagues. Thus, in the setting of the two disused golf-courses which had been such a joy to the Europeans of British India, he was arrested in the early hours of 9th August. Together with a few members of his family and his Revenue Minister, Mirza Afzal Beg, he was removed to Udhampur. Other arrests included the Director of Information and Broadcasting and the principal Information officer. Prem Nath Bazaz states that only at this last moment did Abdullah receive the letters written to him by the three ministers and Sham Lal Saraf, these apparently being handed to him simultaneously with the Sadar-i-Riyasat's order dissolving the Ministry, and dismissing the Sheikh. Another personal letter from Karan Singh closed with the diplomatic reflection: "I trust that this will in no way affect the mutual regard and cordial feelings we have for each other."

That evening Bakshi Ghulam Mohammed broadcast a long statement which could hardly have been prepared in the few hours available on 8th and 9th August. It covered fourteen pages of a "Current Affairs publication" issued from New Delhi. It was a windy kind of peroration and one wondered how it could have had much appeal for Kashmiris who needed more than theories on international intrigue to satisfy them on the arrest of a national hero.<sup>1</sup> The first point the Bakshi Sahib

<sup>1</sup> Abdullah, with his flair for publicity, had established Radio Kashmir as an efficient and effective machine which his successors have inherited. In 1953 it controlled some 500 community receivers in the villages and the service was constantly expanding. It is owned and serviced by the State. Abdullah introduced "Awami Rai Zindabad" (The People's Programme), which came to be accepted as a voice beyond reproach by an ignorant and innocent peasant audience. This powerful instrument has since been fully exploited by the present Kashmir Government.

attempted to establish was that Abdullah's goal of independence was to have been achieved with the assistance of a foreign power. An independent Kashmir "under the influence of an imperialist power will be a grave threat to the freedom and independence of the Indian or Pakistani people". Such conditions might result in Kashmir being turned into another Korea. Why should the safety of the State from aggression under the protection of the Indian Army be exchanged for the insecurity of such a nebulous status? <sup>1</sup> There followed a long dissertation on the economic benefits to be derived by association with India. It amounted to little more than a confession that India had delivered the goods and, in the practical interests of Kashmir, should continue to be allowed to do so. Economics gave way to some quite meaningless rambling on Indo-Pakistani relations.

"Our aim is to unite the people of India and Pakistan under democratic auspices which can be assessed only by the existing relationship of Kashmir with India. It will be a great folly to indulge in the delusion that through an 'Independent Kashmir' or the breaking of her present ties with India, India and Pakistan will be brought nearer."

A brief visit by the Bakshi Sahib to Rawalpindi would have quickly convinced him of the dishonesty of wishful thinking which could assert that Indo-Pakistani unity was to be achieved through the existing relationship of Kashmir with India! The very length of Bakshi's discourse was sufficient evidence and condemnation of its artificiality. Sensing insecurity in the support which his new Government would receive, he attempted to convince himself and his people of the justice of his actions by asserting that all was for the good of the people. A trust could not be abandoned. He and his colleagues would continue until their task was fulfilled. This was their clear and unambiguous duty. What was the truth? A Cabinet of five had in fact divided into two against three. One Moslem and two Hindus had disagreed with two

<sup>1</sup> Many months later on 18th March 1955 in the Kashmir Assembly Bakshi Ghulam Mohammed aroused curiosity by suggesting that he had been under an oath of secrecy not to publish certain correspondence which had passed between Abdullah and Mr. Nehru. If Nehru would give him permission he could "show the world what was happening in Kashmir from 1949 onwards"; and he proceeded to hint at sinister foreign intrigues to which Abdullah had lent himself. In general terms he contended that Abdullah had long since abandoned the proposition of accession to India. The Pakistan Press accordingly drew attention to the fact that India claimed that Sheikh Abdullah had confirmed the accession on behalf of his people. The voice of the people, acknowledged when speaking according to the Indian brief, had been hastily removed once it broke away from the Indian interpretation of the Kashmir problem. On 31st March 1955 Mr. Nehru replied to Bakshi's request, in the Lokh Sabha. He had, he said, no objection to publication. But he doubted if this was the way to settle a great problem. The publication of letters and conversations of a year or so back could hardly produce the atmosphere for a friendly settlement.

Moslems. The issue chosen to air their differences was a demand for one of the former group to resign. The play of chance might well have connoted a realignment with a different result. But by no stretch of the imagination could the locking up of Abdullah and the appointment of a new Cabinet be regarded as the will of the people. The fact was that having arrived in power by no recognised democratic process, five men in dissension could devise no normal way out of their dilemma. There seems to have been no doubt that the Sadar-i-Riyasat was acting within his rights in dismissing his Prime Minister; nor was there legal objection to his arrest. His subsequent indefinite detention without trial is, however, another matter to which a final reference will be made. Abdullah himself seemed to be recklessly certain of his position and, when faced with the warrant for his arrest, could not believe the evidence of his eyes. With his many faults, we could wish that somehow the sincerity of his devotion to the cause of his countrymen may yet be put to constructive use. His punishment was that he became the victim of a ruthlessness and intolerance in government which he himself had done so much to foster.

On 10th August Mr. Nehru rendered his own account in the House of the People. With precision he related the sequence of events. Skilfully decisions were presented once again as the will of the majority, members of the House remaining in apparent ignorance or indifference to the actual circumstances of dissension in Kashmir. He reminded his audience of the constitutional position. Though the State had acceded to India in 1947, it had been made clear that the people were to determine their future when suitable opportunities for this should arise. There was to be no compulsion on either side. From the beginning it had been realised, said the Prime Minister, that the peculiar position of the State made it necessary for a special position to be accorded to it in its constitutional relationship with India. Later, when the Indian Constitution was finalised, this special position was recognised, and it was made clear that any change in or addition to that position would depend on the wishes of the people of the State as represented in their Constituent Assembly. The subjects of accession were three; Foreign Affairs, Defence and Communications. In the Delhi agreement of 1952 certain consequential and implied powers were defined. But the essential subjects of accession remained the three matters mentioned. He then made a careful reference to the sad part played by Sheikh Abdullah in encouraging those who had forgotten "that community of ideals and principles which had brought Kashmir and India together". The Government of India had been kept informed of these developments, but naturally did not wish to interfere! They were anxious to help in the development of the State and were interested in the maintenance of security and internal order. Mr. Nehru then came to immediate events. Two weeks previously Bakshi Ghulam Mohammed and Mirza Afzal Beg had visited Delhi, and held prolonged discussions indicating the serious rift within the Cabinet. A

few days previously Ministers had publicly advocated rival policies. The majority of the Cabinet adhered to the objectives which had always been recognised. One member, however, Mr. Beg, progressively encouraged by Sheikh Abdullah, opposed these policies. A considerable majority of the Executive of the National Conference sided with the majority in the Cabinet and against the Prime Minister.

Exactly how Mr. Nehru could confirm this last assertion, he did not state. No meeting of the Executive was held to consider the issue, and the more probable situation was that members of the National Conference knew on which side their bread was buttered and meekly fell in behind their new leader. Indeed, a somewhat unsavoury aspect of the whole affair was the despicable manner in which all and sundry within the National Conference had eulogised Abdullah and praised the great achievements of his administration until the last moment, only to condemn their master and expose administrative failure a few days later. In these sudden discoveries and exposures Bakshi Ghulam Mohammed naturally omitted to mention that he himself as Abdullah's deputy had been responsible for many aspects of the daily administration. Mr. Nehru closed his statement with a somewhat guarded analysis of the rioting which had occurred in Srinagar after Abdullah's arrest. Only the police and local militia, he said, had been involved. As I shall indicate, Mr. Nehru was obviously misled.<sup>1</sup>

Undoubtedly behind this story lay the whole process by which Abdullah had gradually come first to pursue a nebulous independence, with its same fatal attraction which had previously lured Maharaja Sir Hari Singh to his destruction and seemingly, at the last moment to move on to an advocacy of the outrageous recognition of accession to Pakistan! The result could only be to obscure the issue and place hopes of a settlement still further in the background.

Pandit Nehru had just concluded his talks in Karachi with Mr. Mohammed Ali, after having visited Srinagar with his Minister for States, Dr. K. N. Katju. The conclusion of responsible journalists on the spot was that these developments could not possibly have taken place without a previous understanding with the Indian Government. Abdullah had been a close friend of Nehru for so long that no authority would have dared to have apprehended him without the previous approval of the Indian Prime Minister. The announcement that India viewed the matter as mainly of interest for Kashmiris therefore lacked reality.

The immediate effect was to drive extremists in India and Pakistan to fresh extravagances of irresponsible sentiment. In fact, Pakistan was not so much concerned with the fate of Sheikh Abdullah as for the welfare of the people under a dispensation which must maintain its position by methods of the police state. Against this we should note the claim that Abdullah had lost the confidence of the Kashmir Government. In an

<sup>1</sup> See Mr. Nehru's letter to Mr. Mohammed Ali, 11th August 1953 (Chapter Nine, p. 116).

attempted analysis of official opinion the *Hindustan Times* expressed the view that in the Cabinet, in the Working Committee of the National Conference and in the State Constituent Assembly a vote of confidence would have gone against him. The new Prime Minister, Bakshi Ghulam Mohammed, asserted that the National Conference workers and officials out in the countryside were solidly behind him. As already stated, in a country in which public opinion is fickle enough to conform rapidly to any new depository of power there may have been some truth in his claims. There were stories of Abdullah's inclination to enjoy the material manifestations of power. An expensive motor car can invite criticism when expressions of opinion were so precariously poised as was now the case in the Vale of Kashmir. Bakshi Ghulam Mohammed was an unknown quantity until 1947, when Abdullah himself set him on the path to power. In contrast, Abdullah had at least pursued a consistent fight for the welfare of Kashmiris ever since the 1930s, and the necessity for the police to open fire in the spasmodic rioting which followed his arrest was the measure of the acceptance he had won in the bazaars and out in the fields of the valley.

There are those who were close to Abdullah who maintain that there had been signs of an impending coup a fortnight previously. Army leave was stopped and troops were alerted. Tanks appeared in the streets of Srinagar early on 9th August, and a Gurkha battalion was posted at various key points in the area. A party of Gurkhas arrived to take over the premises at Lloyds Bank without any request for protection from the Manager, who, indeed, asked them to leave.

Quite suddenly in August, Abdullah threw ambiguity aside and in a speech just before his arrest he spoke openly of repudiating the accession to India. He was also bold enough to refer for the first time to discrimination against Moslems in the State administration. In all probability his accusations were near the truth, for the death of Dr. Mukerjee only a few weeks previously had driven the Jammu Hindus into paroxysms of communal excitement.

It may here be pointed out in justice to Sheikh Abdullah that while the general impression given was one of inconsistency, at times he let slip statements which to the keen observer indicated that the element of doubt was always there in his mind. Over eight years ago in an interview with the British Press in Delhi on 1st December 1947 Abdullah had commented on Indian communal sentiment in these terms :—

“The Kashmir episode may well have paved the way for communal peace in India. The accession of Kashmir, which has an 80 per cent. Moslem majority, to the Indian Union will depend upon the goodwill shown to Moslems by the Hindu majority in India. Our present accession to India is only tentative and is subject to confirmation by referendum. If India wants the people of Kashmir to elect for accession to India, there must be communal peace in India.”

His well-known speech at Ranbirsinghapura on 11th April 1952 was therefore only a restatement of views expressed in 1947.

After the arrest the Pakistan Press told of Moslems being "mown down" by Indian troops. The Indian Press retaliated with fantastic stories of an international plot. When I first heard of the rumours that Abdullah had been in league with a foreign imperialist Power, my reaction was that he had been caught out in negotiation with the Soviet. I rubbed my eyes when I read that the villain was Mr. Adlai Stevenson, alleged to be plotting on behalf of the United States of America!

These fabrications could only have embarrassed Mr. Nehru; and it is to the credit of both Prime Ministers that they refused to tread the path down which popular sentiment would have led them. *Dawn* indeed advocated the abandonment of negotiation; and Mr. Mohammed Ali's courage in moderation well merited the reward of statesmanship. Mr. Nehru had years of established prestige and public recognition behind him. In contrast, Mohammed Ali was an unknown quantity not even claiming the background of a popular election. With him, to pursue the wisdom of compromise through negotiation was to accept a certain risk.

For some time rumours had found their way to the world outside of left-wing influences at work in the administration. In particular there was consternation at the appointment of Ghulam Mohammed Sadiq as President of the Constituent Assembly. Sadiq was reported to be a Communist. In another chapter I have given my own assessment of his position. Here we should only note that when the focus of applause, Abdullah, was removed, the immediate hope of impartial observers was that in no circumstances would the Government of India permit the new Prime Minister and his colleagues to indulge in the ruthless enforcement of their will.

Fortunately for India, but less acceptable from the point of view of international arbitration, India has manoeuvred herself into the strong position of being able either to interfere in Kashmir's affairs or remain aloof as and when these opposing courses suit her. The former can be presented as in the interests of a willing satellite. The latter course is useful on occasions when the Kashmir Government wishes to stress its independence, or when India wishes decisions to assume the appearance of Kashmiri origin. But there is one situation which, in relation to this apparent freedom of action, presents both parties with something of a dilemma. It concerns the future of Abdullah.

Abdullah was moved from Udhampur to Kud sub-gaol on the Jammu-Srinagar road, where he was given accommodation in keeping with a prisoner of his status. It is said that he settled down to work on his autobiography. In March 1955 an obscure admirer filed a petition for *habeas corpus* on his behalf. Abdullah promptly indicated that while he thanked his unknown friend, he did not wish the petition to be pursued. He was apparently content to wait on events. It is difficult to see where



this may lead. It would seem that the Government of India are anxious for his release. Yet a move representing so formidable an embarrassment for Bakshi Ghulam Mohammed's Government would undoubtedly be resisted, and we can only presume that this was made clear to Mr. Nehru. If and when Abdullah returns to the scene of political controversy, it may well be found that he has absorbed wisdom through bitter experience. If so, he will constitute an influence which whether in control or in opposition, will be impossible to ignore.

## CHAPTER FOURTEEN

### INTERNAL STRESSES

IT is difficult for an observer at a distance to understand the many cross-currents of resistance which operate to confuse the issue. On the Indian side shades of opinion in the past varied from the policy of the National Conference which always hoped that Kashmir Moslems would one day be weaned away from all thought of Pakistan, to the extreme Hindu groups who followed the lead of the late Dr. S. P. Mukerjee and who believed that no appeasement could persuade Kashmir Moslems to become loyal citizens of India. If the State was to be maintained as an integral part of India, a strong Kashmir Government must be established with or without the consent of the local Moslems. On 20th April 1953, at Patiala, the late Dr. Mukerjee put his case bluntly at a public meeting. "If the Moslems of Kashmir do not want to remain with us let them go away, but Kashmir must and will be ours. This is a vital matter for the security of India." Only on one point were moderates and extremists agreed: that to speak of accession to Pakistan was heresy. From the moment that Kashmir's fate became an issue between two powerful neighbours, extremist opinion, which in effect consisted of the Dogra Hindus of Jammu, was identified with the Praja Parishad under the leadership of a tough old warrior, Prem Nath Dogra. At the same time as Prem Nath Dogra assumed the Presidentship of the local Praja Parishad in Jammu he was also acting as President of the Bhartiya Jan Sangh, which was but a new name for that depository of militant orthodoxy, the All-India Hindu Mahasabha. It will be recalled that in his capacity as President of the Mahasabha, Dr. Mukerjee had been arrested in March 1953 in connection with disturbances in Jammu. He was subsequently released, but his death a few weeks later on 22nd June 1953, at Srinagar, stirred his followers to the most excessive outbursts of communal passion. In such ways Kashmir became the symbol of a movement aiming at a Hindu renaissance, proud and devotedly sincere in its most generous interpretation, bigoted, retrograde, and unconstructive in its effect.

In so far as the Praja Parishad supported Mr. Nehru, the Dogra Hindus were tolerated by Abdullah's nationalists.<sup>1</sup> But early in 1949 there were open clashes in Jammu, and the seventy-year-old Prem Nath Dogra was arrested. He was subsequently released in September, but not before the seeds of a deep-seated resentment between Hindu and Kashmiri

<sup>1</sup> The term "nationalist" is freely used to signify supporters of the National Conference.

nationalists had taken root. It is this rabid Hindu sentiment, which in effect takes the form of a desire for Jammu to dominate Srinagar rather than the reverse process, and which has persisted on to embarrass not only the Governments of Abdullah and Bakshi Ghulam Mohammed, but also the Government of India. In Delhi no less than in Jammu is the Praja Parishad able to exercise its mild but effective form of blackmail in the Lokh Sabha; and the fact that Mr. Nehru himself has personal ties with Kashmir renders him the more vulnerable to their attack. "Hold Kashmir for India and you will continue to receive our support", might be the manner in which their control on the Indian National Congress would be put into a formal policy.<sup>1</sup>

When the elections for the so-called Constituent Assembly were held in October 1951, members of the Praja Parishad withdrew their candidates in protest at the pressures which were brought to bear on them. Early in 1952 Hindu students raided the Jammu Secretariat, burnt some records and smashed furniture, whereupon Indian troops had to be called in to restore order. It was in these restless conditions that Abdullah made his speech at Ranbirsinghpura in the Jammu Province which at the time so startled both the Indian and Pakistani Press. Ranbirsinghpura lies close to the Kashmir-Pakistan border, so that naturally this first indication of dissension between India and Abdullah was priority news value for *Dawn* and the *Pakistan Times*.

On 19th April 1952 Abdullah's new mental reservations were voiced in the following passage.

"Kashmir's accession to India will have to be of a restricted nature so long as communalism has a footing on the soil of India."

He continued to describe the full application of the Indian Constitution to his country as "unrealistic, childish, and savouring of lunacy". He then returned to the theme of doubt as to whether communalism had been finally exorcised in India. He reminded his audience that Kashmir had acceded in respect of three subjects only. It was a speech calculated to create a sensation without any commitment as to future intention, and it certainly succeeded in its purpose.

In his apparent *volte face* Abdullah had not spared the Indian Press. The result was that they turned on him in rage, and from that moment onward he was never to regain the popularity he had enjoyed among the literate Indian public. The Press had after all built him up as the "Sher-i-Kashmir", the saviour of his country, and they had hardly expected such bad manners in return.

<sup>1</sup> The distinction should be drawn between the Hindu Dogra of Jammu and the Brahman Hindu Pandit of Srinagar and the valley. The former traces his ancestry in association with the Court of Maharaja Gulab Singh and the many thousands of followers around Gulab Singh, his friends and their private armies. The latter derive from ancient Hindu stock indigenous to the Kashmir Valley. Doubtless there has been interchange when the distinction becomes obscure.

Perhaps the most embarrassed of negotiators in these developments was the Indian Prime Minister. Early in June 1952, as Chairman of the Basic Principles Committee of the State Constituent Assembly, Abdullah, without reference to India, announced the intention to abolish hereditary Dogra rule which further infuriated Hindu India. In Delhi many felt that these developments represented a situation far beyond the nature of the accession in 1947. A Kashmir deputation was accordingly summoned to Delhi, and Abdullah and his party answered the call with obvious reluctance. The Kashmir Assembly in the meanwhile confirmed the decision which ran contrary to the provisions of the Indian Constitution. Simultaneously and without outside consultation they adopted their own flag,<sup>1</sup> a gesture which further contravened the Constitution and an ominous pointer to future intentions.

A few days later, on 26th June 1952, Hindu nationalists demonstrated their disapproval of a Kashmir flag and the abolition of hereditary rule in no uncertain manner outside the Parliament building in Delhi. Inside, Mr. N. C. Chatterjee argued that a republic within a republic hardly made sense, and Dr. S. P. Mukerjee alleged discrimination by Sheikh Abdullah against Hindus. In defence Nehru found scapegoats in the Maharaja and the United Nations.<sup>2</sup> He confirmed that in the particular case of Kashmir, accession related to the three fundamental subjects which "could be interpreted to mean a little more or a little less". But the accession was complete. He went on to praise the Kashmir land reforms. He thus effectively pacified his listeners, yet left them guessing.

At least there was one certainty. While agreeing for obvious reasons to accede in defence, foreign affairs, and communications, Abdullah wished to leave all further relations on as tenuous a basis as possible. Particularly he sought to avoid entanglement in such matters as the Indian fiscal and judicial systems. In view of his surrender of external affairs, he could not, if he was to be consistent, defy a solution for his country after its acceptance by India. Nor, conversely, would India claim immunity from responsibility on the grounds that a decision was unacceptable to Abdullah. Control of external affairs was constitutionally India's affair, though there was undoubtedly room for much political exploitation and elasticity within the constitutional arrangement.

<sup>1</sup> A white plough on a red background. Three equidistant white vertical stripes run parallel to the staff. Sheikh Abdullah's explanation was that the plough represents the peasants who form the backbone of the country, the stripes symbolise the geographical regions—Jammu, Kashmir, and the Frontiers—and the red background stands for labour.

<sup>2</sup> The Prime Minister's own approach was on this occasion sometimes inconsistent. "The Kashmir Constituent Assembly has every right to frame its own Constitution, but so far as we are concerned, we could not be bound by their decision, because the question is before the Security Council." (*India News* of 28th June 1952 did not give the particular occasion or date.) Such an approach seems an attempt, in words, to reconcile the irreconcilable.

The interest for us lay in the point raised by Mr. Chatterjee. An Indian Republic was accepted as compatible with the loose demands of the Statute of Westminster. Would not India extend the same indulgence to Kashmir? A Kashmir in treaty relationship with India would then enjoy that happy status of "independence plus". A republic within a republic was not so fantastic a conception as Mr. Chatterjee believed.

On 24th July 1952 a harassed Prime Minister found himself having to make yet another statement in Parliament on Kashmir. It was a brave effort to support Abdullah and his National Conference leaders so far as Kashmir's reactions were concerned, and at the same time it attempted to appease Hindu orthodoxy in India. Nehru then turned to the constitutional field and announced what amounted to a new and formal agreement of eight points.<sup>1</sup> As a concession to the Kashmir Constituent Assembly, the abolition of hereditary rule would be recognised. Maharaja Hari Singh was thus finally eliminated. He was to be granted a very adequate privy purse out of which his son, Karan Singh, was to receive the modest remission of one lakh a year. On 21st August the Kashmir Assembly confirmed this arrangement accepting the principle of an elected Head of the State to be known as "Sadar-i-Riyasat" for a term of five years, an appointment in which Karan Singh was finally confirmed on 19th November 1952.

In defining the judicial relationship of Kashmir and India, Nehru left no doubt as to the nature of the freedom which the subjects of the State would enjoy. "There is general agreement that there should be fundamental rights and those fundamental rights should be applied to the State." Then followed the inevitable proviso. After drawing attention to past history and the tribal invasion, he concluded that reserve powers would have to rest with the State Government to provide it with the necessary authority if and when similar situations of emergency should arise. In short, certain people who might be accused of attempting "infiltration, espionage, sabotage, etc." were to enjoy no fundamental rights whatsoever. This in effect covered anyone who might wish to advocate accession to Pakistan or formally oppose the National Conference administration with a view to establishing a more democratic dispensation. The position was extended so as to deprive those in opposition of facilities of appeal to the Supreme Court of India. The Supreme Court would have jurisdiction in fundamental rights which were agreed to by the State. In other words, an appeal by an individual judged guilty of sabotage in a State court would never come before the Supreme Court of India. It was this type of reservation which was bitterly criticised by a small but highly discriminating Indian group of Liberals and Socialists. Mr. Nehru concluded his speech with a comment perhaps intended for Sheikh Abdullah. "All States had acceded in the

<sup>1</sup> See Appendix XI.

beginning in regard to only three subjects. *Maybe we shall have more subjects later.*"

For the moment a quarrel had been patched up. Abdullah was welcomed back in Jammu with a public reception on 25th July. In typical exuberance of expression he told his audience, "This is not a paper agreement but a union of hearts which no power on earth can loosen." Just over a year later the agreement so far as Abdullah was concerned had certainly assumed the aspect of paper and was effective enough not only to sanction his arrest but also to deny him that right of appeal which he himself had forbidden. One feature of Abdullah's subsequent administration deserves comment. It is that at no time after July 1952 did the Constituent Assembly demand the confirmation of the State's accession to India. That had to wait for his successor.

Meanwhile the Praja Parishad continued to be restive. The absence of a formal resolution on accession may well have kept them in suspense. Matters came to a head in November 1952, when on 14th November the Assembly unanimously elected Karan Singh as Sadar-i-Riyasat. On 24th November a public reception for the Head of the State was staged in Jammu. The Praja Parishad who remained unrepresented in the Assembly decided to boycott it, and they managed to destroy what was to have been a festive celebration, with the result that on 26th November Prem Nath Dogra and many of his colleagues were arrested. It was a curious situation. For here was a party pursuing a pro-Indian policy with "one President, one flag, and one constitution" as their slogan, while their opponents, who were driven to take measures against them, received the tacit support of the Government of India. Throughout the winter of 1952-53 the Praja Parishad continued their efforts. Volunteers with the Indian tricolour flag paraded the streets of Jammu. The replacement of the State flag by the Indian National flag when and where possible became a matter of honour. Satyagrahis carried aloft photographs of President Rajendra Prasad, only to be broken up with lathi-charges by special police. At one stage the Sikh Akali leader, Master Tara Singh, extended his support, Dr. Mukerjee, Mr. C. Chatterjee (Hindu Mahasabha) and Nand Lal Sharma (Ram Rajya Parishad) all in the meanwhile having courted arrest. While mere religious fanaticism was the prominent motive which appeared to keep their militant spirit alive, a contributory cause was more material. It was that many wealthy Hindu landlords had suffered through the operation of Abdullah's land reforms, and according to the rules, had received no compensation. On 8th May 1953 Dr. Mukerjee, who had meanwhile been released, decided to go to Jammu to "see things for himself behind the iron curtain". Despising a permit, he told his friends that if his way was barred he would "bend the bayonets with my hands as Nehru did in June 1946 at Kohala". On 11th May he accordingly entered the State and achieved his object, which was to be arrested. The familiar outbursts of hooliganism followed, confined not now to Jammu, but with repercussions in the

Punjab and Uttar Pradesh, where effigies of Abdullah were burnt in public. Mukerjee was placed in confinement in a comfortable bungalow close by the Nishat Bagh, and there is no reason to suppose that he was not well cared for. It therefore came as a great shock to large sections of the Indian public to hear of his death in the Hari Singh hospital on 23rd June from pleurisy. The Kashmir Government was charged with neglect. For a few days his communalism was forgotten and all sections of the public paid tribute to his memory. Nehru, returning from London, was faced with the biting criticism of the Jan Sangh, the Mahasabha, and the Ram Rajya Parishad, extremists going so far as to declare that their leader had been done to death. The mistake had obviously been not in any neglect but in foolishly concealing the fact of Dr. Mukerjee's illness. In the circumstances Nehru could only tone down his previous approach. Prem Nath Dogra and many others were released, and some acknowledgment was made of the suffering of supporters of the Praja Parishad at the hands of the nationalists. Accordingly, in July official opposition to the Kashmir Government was called off. A month later with the fall of Abdullah, Bakshi's Government, with its complete accommodation to Indian wishes, was more acceptable to the extremist Hindus. They however remain a constant factor in the political situation and must receive full consideration in future developments. Early in 1955 Prem Nath Dogra was still threatening the Government of Bakshi Ghulam Mohammed from the wings.

But there is another group of resistance, less powerful than the Praja Parishad, less emotional in its appeal. It depends on the quality of its programme rather than the quantity of its utterances. This is the group which includes the Praja-Socialist Party of India, the Kashmir Democratic Union based on Delhi and a few moderates, such as M. N. Roy, of clear thought and complete political integrity. The Indian Praja Socialist Party (P.S.P.) only came into being in 1952 as a merger of the former Socialists and the Kisan Mazdur Praja Party, which had broken away from the Indian Congress in the summer of 1951. The policy of this group in relation to Indian affairs need not concern us. It is their attitude to Kashmir which matters. As late as August 1953 they had not thought out a clear policy. Their General Secretary, Mr. Ram Manohar Lohia indeed issued a quite meaningless statement on 23rd August in Lucknow.

"The principles of secular democracy and that of ascertaining the wishes of the people are in conflict in Kashmir. I believe in democracy but if democracy created difficulty in the task of the creation of a common nationality of Hindus and Moslems, then I would attach more importance to that task."

Such obscurity may be of academic interest in the lecture hall: it is of little service in solving a very practical problem in a practical way. By 1954 Mr. Lohia had been succeeded by Mr. Asoka Mehta. In Novem-

ber 1954, 200 delegates of the Praja Socialist Convention under Mr. Mehta met in Jammu and resolved to set up a P.S.P. unit in Kashmir. Accordingly he and about thirty of his colleagues proceeded on to Srinagar, where it appears they were subjected to some rough handling in a public thoroughfare. India is a country in which political incidents small in themselves can produce swift reactions over areas far removed from the scene of controversy. The result in this case was to rally the P.S.P. to a sudden awareness of conditions in Kashmir. The Annual Convention of the P.S.P. meeting in distant Nagpur at the end of November took note of the political insecurity inside the State and advised the holding of fresh elections under the supervision of India's election commissioner. In one respect the P.S.P. would not commit itself. It refused to face the possibility of Kashmir's accession to Pakistan. Accession as an issue was less important than the daily practical problems of life. Such a lofty attitude was of little value for the local P.S.P. branches later established in Kashmir.<sup>1</sup>

With a view to discovering the policy of the Praja Socialists in this vital matter the *Voice of Kashmir*<sup>2</sup> turned to the public for a frank definition. The result was disappointing. Two letters appeared in the issue of March 1955, the one almost contradicting the other. In the first, accession to India was regarded as the symbol of devotion to secularism. But it was to be achieved by winning the hearts of the people. The methods employed by Bakshi Ghulam Mohammed's Government were strongly disapproved. It was such obscurantism which cost the Socialists so many votes in the Indian elections. The other letter, from Mohammed Umas Bhat, Secretary of the local Praja Socialist Party in Srinagar, was more realistic. The writer hesitatingly accepted a plebiscite held under an international authority, but closed with the assertion that the two countries, India and Pakistan, had not yet exhausted each other's patience and that removed from "the shadow of third parties" a mutual agreement could still be achieved. There were no third parties present when the two Prime Ministers met in 1953: and for myself I believe that a third party may yet play its part. Perhaps the most hopeful aspect of P.S.P. interest in Kashmir is just that its claim is always to be "democratic". When so much emphasis is placed on freedom of speech and toleration, it should be possible to envisage a useful and constructive role for the party to play in a Kashmir solution.

There have been many other groups in recent years within the State, but two in particular should be noted for the selfless integrity of their policies. In March 1942 two Kashmiri Hindus, Prem Nath Bazaz and

<sup>1</sup> In November 1954 Mr. Om Prakash Saraf was appointed Chairman of the Jammu and Kashmir P.S.P. On 30th November he discussed the attack on Mr. Mehta with Yuvraj Karan Singh. O. P. Saraf should not be confused with Mr. L. E. Saraf, a National Conference Minister in the Kashmir Cabinet.

<sup>2</sup> Organ of the "Kashmir Democratic Union" published in Delhi. Editor, Prem Nath Bazaz.



Kanhya Lal Kaul, formed the Kashmiri Socialist Party. They attracted the young intellectuals of the valley and immediately came up against the National Conference, since they advocated an energetic prosecution of the war in support of the allies. They saw democracy in peril, and they said so. The Nationalists were at the time, through the agency of Sheikh Abdullah, in full support of the Indian National Congress, which had finally decided to withdraw all co-operation with the Government of India in prosecuting the war: hence the birth of a mutual antipathy which has persisted on throughout the years. The other group was of a different nature. In 1945 about a dozen men met in the public garden at Achhabal to discuss the appalling bribery and corruption which everywhere applied to the Government control of certain essentials. It will be recalled that in India a system of rationing and control had covered the distribution of sugar and kerosine oil. In Kashmir the list included sugar, salt, kerosine oil and cloth, and in the absence of competent supervision the minor official's opportunity was beyond his wildest dreams. The men who met were mostly humble peasants with some sense of protecting their rights. They elected a young matriculate villager, Abdus Salem Yatu, as their President, and they called themselves the All-Jammu and Kashmir Kisan Conference. News of their courage quickly spread throughout the Anantnag District, and Kisan Committees sprang up in several of the large villages. Naturally enough, this new movement was also regarded by the Nationalists as a challenge to their authority. On 16th November, at an "Id" meeting in a village some seven miles south of Anantnag, Nationalists attacked Kisans and a brawl ensued. On 24th March 1946 a meeting with the Kashmir Socialist Party took place in Srinagar, and as a result an understanding was reached between the two. Thus peasants came in contact with a more educated element and both groups decided to work together. A longer meeting was staged at a village, Dyalgam, some three miles from Anantnag. In the meanwhile the movement had decided to send a telegram to the Cabinet Mission from England which was then touring India searching for a plan for future Independence, asking that their views should be heard as representatives of the people of Kashmir.<sup>1</sup> At the same time Abdullah and his disciple, Mirza Afzal Beg, were touring India seeking the same purpose. Beg hurried back to Kashmir, to find the Kisans and Socialists in full conference at Dyalgam, in the centre of his own constituency. Considerable crowds had collected, and Beg boldly but foolishly attempted to break up the meeting with the aid of a few followers. He was roughly handled in consequence. But he appeared to have the support of the State police, with the result that Socialists and Kisans were from then on subjected not only to the bitter hostility of the Nationalists, but also to the official attack of Government authority.

<sup>1</sup> The movement later assumed the name of the Kisan Mazdur Conference, but the two aspects, Socialists and peasants, have a fairly flexible organisation both combining and operating independently when circumstances require.

Undeterred, on 11th May 1946 they held yet a more elaborate meeting at a small village, Kabamarg, by which time they had organised a peasants' volunteer corps. The volunteers took to parades, armed themselves with weapons and acquired all the paraphernalia of an amateur army, with the result that at Kabamarg they were left alone. It will be recalled that years later Mirza Afzal Beg, their bitter opponent, was taken into custody with Abdullah. On 8th November 1954 he was released and allowed to take his seat in the Kashmir Assembly and organise a token opposition. It remains to be seen if his experience has reconciled him to normal democratic procedures, for the time may be coming when, in the public interest, some form of representative coalition government may be called upon to assume responsibility in Kashmir.

With the rise to power of Abdullah in 1947, democratic leaders could expect little liberty of action. They were driven underground and many of their leaders were arrested. On 1st August 1950 their most staunch supporter, Prem Nath Bazaz, was released from detention and ordered to quit the State. He travelled to Delhi, where he has since remained to conduct his campaign with great courage and energy. The movement then assumed the name of "The Kashmir Democratic Union"<sup>1</sup> and the monthly journal the *Voice of Kashmir* is able to publish its views for the benefit of those who closely follow the affairs of Kashmir both on the sub-continent and abroad. Sir Zafrullah Khan frequently invoked Prem Nath Bazaz at the Security Council to his advantage, and he is obviously destined to play his part again in future developments. Meanwhile within Kashmir these elements of resistance, though of necessity in the background, are alive and virile. On 31st October 1952 the working Committees of the two groups were able to publish a comprehensive resolution, which for its sense and clarity deserves quotation :

<sup>1</sup> The Union was formed on 3rd August 1950 in Delhi by a group of Kashmiri Pandits, being members of the Kashmir Socialist Party and the Kisan Mazdur Conference. Its programme was defined as follows :—

"(a) To have the Kashmir dispute solved amicably and peacefully, between India and Pakistan according to the will of the State people by the democratic method of a fair and impartial plebiscite.

"(b) To popularise the idea of partition for the State so that different homogeneous cultural regions may receive the fullest freedom of self-determination in the plebiscite.

"(c) To secure effective safeguards for the minorities in all parts of the State in a future set-up in the final settlement.

"(d) To bring the grievances of the State people to the notice of the Government of India.

"(e) To persuade the Government of India by constitutional and peaceful means to replace the present Government of Kashmir by an efficient and sympathetic administration during the transition period.

"(f) To supply authentic information about conditions in the State to the outside world."

"This joint meeting of the Kisan Mazdur Conference and the Kashmir Socialist Party, representing the suppressed urge of the four million people of the State, reiterate that there can be no settlement of the Kashmir dispute unless and until foreign armies are totally withdrawn from all parts of the State, a neutral or an all-parties Government is set up in place of the present unpopular regime and all political and human rights of the people are fully restored. Until these prerequisites are fulfilled no decisions taken by any body however exalted a name might be given to it, will be binding upon the people of Kashmir."

It will be recalled that the fortunes of the Kashmir Kisan Mazdur movement were originally in the hands of a young man, Abdus Salem Yatu. When the main group of resistance leaders were released, Yatu, for some obscure reason, was sent to Pakistan. There he immediately interested himself in the affairs of the Azad Kashmir Government. As a Socialist and democrat, he strongly disapproved of the monopoly of the Azad Government by one Kashmiri party, the Moslem Conference, and he pressed for the election of an Assembly on a basis of adult franchise. On 8th May 1951 a delegation met Mr. M. A. Gurmani, who was then Pakistan's Minister for Kashmir Affairs, and spoke of their uneasiness at the unrepresentative nature of the administration in Azad Kashmir, with its increasing corruption and injustice. To an outside observer it would seem that the remedy of representative government would have been misplaced. Azad Kashmir consisting only of three districts, could hardly afford the luxury of an elected Legislature, though in their interests some loose form of periodical discussion among recognised local leaders might be advisable. But friendly advice with firm supervision by the Pakistan Government was more certainly an appropriate procedure in the circumstances; and this the Pakistan Government have striven to achieve. We should note a situation of some hope in that forces, pledged to the defence of democracy, have been and are at work on either side of the cease-fire line. In both India and Pakistan there is thus a potential bridge which might one day take formal shape to assist in solving the problem of Kashmir.

These, then, are the movements which blur the issue and which refuse a classification under the banners of either of the two main Kashmir parties. In noting the progress of those who claim to support true democracy, there is one disturbing feature; and that is that however much leaders may insist on their own moderation and liberation, the Kashmiri temperament at this stage seems against them. Time after time, when efforts were made to hold normal meetings to persuade and educate the people, tempers rose beyond control and ugly hooliganism ended in a lot of useless bitterness and action by the police. It may well be that followers of the Socialist and Kisan groups, being in isolation from all others, have suffered injustice in this respect at the expense of

others who should not have escaped punishment. But the people themselves and their leaders, irrespective of their political affiliations, have a lot to learn in regard to the conduct of politics in toleration. For this reason, among others, if and when a plebiscite is ever held, I would urge that the issue be presented in its simplest form, unaccompanied by the usual trumpeting of party machinery with all its provocation for an illiterate and gullible peasantry.

## CHAPTER FIFTEEN

### CONSTITUTIONS AND ECONOMICS

MANY aspects of the constitutional and economic position in Kashmir have already been considered within their appropriate historical context. Nevertheless, as I recorded a number of facts under different headings, I became aware of the need also to piece them together as a coherent story. In the case of the Constitution of Indian Kashmir the narrative is involved. Few people can give a clear account of the various moves. Even in the State itself an impression of uncertainty was conveyed.

It will be recalled that as the result of much pressure, and in accordance with the recommendations of the Glancy Commission, the Maharaja of Kashmir set up an Assembly of seventy-five in 1931. In 1939 the so-called "Maharaja's Constitution" was adopted, under which Sheikh Abdullah was later in 1948 to accept the appointment of Prime Minister. In 1944 the National Conference issued its elaborate manifesto, "New Kashmir", which ever since has remained the accepted statement of policy and intention. In his ornate manner, Sheikh Abdullah declared the purpose of his Magna Carta.

"To fight for the poor against those who exploit; for the toiling people of our beautiful homeland against the heartless ranks of the socially privileged. . . . In our times, Soviet Russia has demonstrated before our eyes, not merely theoretically but in her actual day-to-day life and development, that real freedom takes birth only from economic emancipation."

Those who are so quickly and emotionally able to adapt their thought to this or that system as the passing inspiration dictates are to be envied, in that life can seldom be dull. Apart from its economic provisions, the interest in "New Kashmir" lay in its proposals for a new State Constitution.

When the crisis developed in October 1947 and the Maharaja reluctantly brought Abdullah into harness with his own Prime Minister, for a time a dual "Emergency Administration" prevailed. By the spring of 1948 this top-heavy form of dyarchy had become sufficiently ridiculous as to collapse, and on 1st March 1948 Abdullah was proclaimed Prime Minister. Thereafter the Assembly of the "Maharaja's Constitution" became a National Conference forum charged with the task of adopting the "New Kashmir" Constitution.<sup>1</sup> The next logical step was therefore

<sup>1</sup> A National "Interim" Government was formed on 5th March 1948.

to change the existing structure into a "Constituent Assembly". In October 1950 the National Conference accordingly passed their resolution calling for elections to determine "the future shape and affiliations of the State of Jammu and Kashmir". On 30th April 1951 the Head of the State summoned a Constituent Assembly, to be based on free elections by means of a secret ballot of all citizens over twenty-one years of age. The elections were held in September and October, and the Constituent Assembly was convened on 31st October. Its first task was to define the position of the Maharaja. The "New Kashmir" proposals, while revolutionary in their economic and social implications, had paradoxically not bothered to remove the ruling dynasty. Accordingly, on 20th November the Constituent Assembly passed "the Jammu and Kashmir Constitution Act, 1951", which unambiguously deprived the Maharaja of his powers and defined the position of his son as "Head of the State".

To frame a new Constitution then became the purpose of Abdullah and his followers; and in the normal way the existing Assembly would have sat in a number of committees whose combined efforts would have been presented as a draft Constitution for further revision until the Assembly itself could agree on a final and perfected document representing the future Charter for the State. In effect, and presumably in recognition of an undetermined future, the Constitution of 1939 has been subjected to the process of repeated modification through the passing of a number of Acts by the present Constituent Assembly. This, rather than the framing of a new Constitution, has represented the slightly confusing process by which Indian-held Kashmir gropes its way forward. The Assembly's tenth session adjourned on 6th April 1955, after passing measures relating to the strengthening of ties with India and dealing with amendments to the Constitution which defined State citizenship. It therefore appeared that it had not exhausted its functions.

The critics accuse the leaders of inserting controversial legislation into the Constitution which in normal circumstances would not have been accepted, the object being to present a constitutional and legal appearance. At the same time the process was claimed as "the will of the people".

To-day the stated intention of the National Conference still remains to frame a new Constitution, and a Committee of the Assembly is in theory at work. But exactly what progress has been made was difficult to discover; while the doubt as to whether or not India's Kashmir will ever be in a position to adopt a separate Constitution is inherent in the understanding that a plebiscite will be held.

So much might be regarded as the Kashmir side of the story. On the Indian side the various stages are linked to certain provisions in the Indian Constitution.

Article 370 of the Constitution which was framed to cover the case of Kashmir came up for consideration before the Constituent Assembly first on 17th October 1949. On that occasion Sir Gopalaswami Ayyangar,

speaking in the Indian Parliament, expressed the hope that "in due course Jammu and Kashmir will become ripe for the same sort of integration as has taken place in the case of other States". Accordingly, Article 370 found its way into the Constitution which India adopted on 26th January 1950, Kashmir being treated as an integral part of the Indian Union and named in Schedule A as one of eight "Part B" States, the other seven being those larger kingdoms which had survived from the old order of Princes, together with territories such as Rajasthan, comprising a number of Princely States too small to justify the retention of their separate status.<sup>1</sup> Prem Nath Bazaz, who should know, tells us that the incorporation of Article 370 covering special provisions for Kashmir was effected in order to satisfy the Kashmir National demand. Kashmir as a special case was given the fullest autonomy in order to reassure its Moslem population that it was not to be controlled by a distant Hindu-dominated dispensation in Delhi. In view of Gopalswami Ayyangar's previous comment, this seems a rather kind interpretation. In normal circumstances a measure of autonomy would have been regarded as a generous gesture by India. Prem Nath Bazaz, however, admits that in this case the effect was to give power to the Nationalist hierarchy in Kashmir at the expense of all who opposed it.<sup>2</sup>

In March 1950 the immense White Paper (Revised Edition) on the former Indian States was published.<sup>3</sup> Sections 220 and 221 threw light on the particular position of Kashmir. Section 220 first explained that Part B States were to be regarded for most purposes as similar to Part A States. But by inserting a separate portion (Part vii) into the Indian Constitution, the minor matters in which Part B States differed from Part A States had been set out as a separate statement. Section 221 of the White Paper further explained the particular position of Kashmir. After drawing attention to the fact that both legally and constitutionally Kashmir's position was similar to that of any other acceding State, there followed this rather hesitant ambiguous passage. "The Government of India, no doubt, stand committed to the position that the accession of this State is subject to confirmation by the people of the State. This however does not detract from the legal fact of accession." There then followed a reproduction of Article 370 of the Indian Constitution with a further explanation.

The main purpose of Article 370 was to define the powers of the Indian Parliament in relation to Kashmir. These were declared to cover those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, were declared to correspond to matters

<sup>1</sup> Hyderabad, Kashmir, Madhya Bharat, Mysore, Patiala and East Punjab States Union, Rajasthan, Saurashtra, Travancore-Cochin.

<sup>2</sup> *Struggle for Freedom in Kashmir*, Chapter 23, pp. 476, 477.

<sup>3</sup> Territories of the Indian Princes were formerly referred to as "the States". In the minds of some readers there may therefore be confusion in that all the former Provinces of British India are now also termed "States".

specified in the Maharaja's Instrument of Accession.<sup>1</sup> At the same time all such matters could only be subjected to legislation "in consultation with the Government of the State".

In theory the arrangement gave the appearance of autonomy and choice to Kashmir. In practice, bearing in mind the dominating position of the Indian Union, the Kashmir Government could hardly afford to disagree on any matter for legislation, as Sheikh Abdullah was to discover. For our purposes it is sufficient to note that Article 370 dealt specifically with Kashmir and that in effect it achieved little more than to provide that the President of India might modify the Constitution of India in application to Kashmir in consultation with the Kashmir Government. Having decided that matters in the Union and Concurrent Lists corresponded with matters in the Maharaja's Instrument of Accession, the President could then with the concurrence of the Kashmir Government make laws for the State.<sup>2</sup>

In his exhaustive work on the Indian Constitution, Dr. D. D. Basu further explained the legal position from the Indian point of view in the following terms: <sup>3</sup>

"... The reasons for special treatment were political. In view of the commitment by the Government of India that the people of this State would, by plebiscite, finally determine whether they would remain within the Union of India, and that they would through their own Constituent Assembly determine the Constitution of the State and the Union jurisdiction over it, until the holding

<sup>1</sup> These two lists in the Indian Constitution respectively defined subjects reserved for the Union Government and subjects in which both the Union and a State Government could legislate. The Maharaja's accession was covered by the same Instrument as was signed by other Princes. The Instrument appears as Appendix VII in the White Paper.

<sup>2</sup> For those further interested in the Constitutional mechanics, it should be noted that Article 238 of the Indian Constitution applied the Constitution to all Part B States with certain minor modifications. In the special case of Kashmir provisions were made under Part xxi of the Constitution (Temporary and Transitional Provisions) the actual order by which Article 370 was inserted into Part xxi, being the Constitution (Application to Jammu and Kashmir) Order of October 1950. The Order merely gave the sense of Article 370 in regard to the powers of the Indian Parliament.

Article 370 also stated that Article 1 of the Indian Constitution (which sets out the territories comprising the Indian Union) applied to Kashmir. In addition to Articles 1 and 370, the only other provisions of the Constitution which were applied under the above order were certain articles in ten of its twenty-two Parts, in which there were modifications or exceptions in the case of Kashmir. A List was added of thirty-eight subjects from the Union List as matters with regard to which the Indian Legislature could make laws for Kashmir. Some of these, such as maritime shipping, port quarantine, and lighthouses, seemed to indicate a mere mental exercise of the constitutional lawyers.

<sup>3</sup> Dunga Das Basu, M.A., B.L., *Commentary on the Constitution of India*. Published by S. C. Sarkar & Sons, Ltd., Calcutta. November 1950. 2nd Edition, January 1950.



of the plebiscite, the Constitution of India could only provide an interim arrangement regarding the State.

"The only Articles of this Constitution [India] which apply of their own force to Kashmir are Articles 1 and 370. The application of others are determined by the President in consultation with the Government of the State. The legislative authority of Parliament over this State, again, will be confined to those items of the Union and Concurrent Lists as correspond to matters specified in the Instrument of accession. The above interim arrangement will continue *until* the Constituent Assembly for Jammu and Kashmir makes its decision. It will then communicate its recommendations to the President, *who will either abrogate Article 370 or make such modifications as may be recommended by that Constituent Assembly.*"

In his reference to the Kashmir Constituent Assembly Dr. Basu was but confirming the Indian White Paper, Section 221 of which concluded thus :

"Steps will be taken for the purpose of convening a Constituent Assembly which will go into these matters in detail and when it comes to a decision on them, it will make a recommendation to the President who will either abrogate Article 370 or direct that it shall apply with such modifications and exceptions as he may specify."

Thus legal and constitutional procedure governed the written understanding which evolved. On paper at least the moves were correct. On paper the President can abrogate the statutory arrangement. Doubtless the intention was to present a precise framework with sufficient suggestion of flexibility to enable India's advocates to deny the charge that the future was being anticipated. Nearly two years were to elapse before any further constitutional development. It will be recalled that in July 1952, arising from certain unilateral decisions taken by Abdullah in the previous month, Mr. Nehru announced an Eight-Point agreement.<sup>1</sup> A year went by, and in July 1953 Abdullah was again causing alarm and despondency in India. In particular two speeches on 13th and 24th July could by no stretch of the imagination have been regarded as compatible with the Delhi agreement. Abdullah was removed from the scene, and in his absence on 6th February 1954 the implementation of the Eight-Point agreement was ratified by the Kashmir Assembly by a vote of sixty-four of the seventy-five members. Of the remaining eleven members, six were behind the bars and five absented themselves.

The Indian President now had recourse to Article 370, and on 14th May 1954 he issued an order which further strengthened the constitutional tie with Kashmir.<sup>2</sup> This elaborated the previous agreement, the

<sup>1</sup> 24th July 1952. Known also as the "Delhi Agreement". See Chapter Twelve, p. 148, and Appendix XI.

<sup>2</sup> Constitution (Application of Jammu and Kashmir) Order. May 1954.

official claim in Kashmir being that though the bonds had been further cemented the autonomy of the State had been preserved.<sup>1</sup> In a long list of matters covered, the most interesting were those relating to the relationship of the State with the Indian legal machinery. The people were to have the right of appeal to the Supreme Court of India for the enforcement of Fundamental Rights. The right of appeal from any judgment by the State High Court in criminal proceedings was recognised. Hardly compatible with actual conditions in Kashmir was an assurance of freedom of speech and expression. Indeed, while handing this fundamental right on one page, it was removed on another. For five years the State Legislature was given the power to impose such restrictions as were thought necessary for Kashmir's security, on those rights relating to freedom of speech, free movement and corporative association which are usually regarded as the elementary symbols of democracy.<sup>2</sup>

The Indian apology ignored these apparent contradictions. The Annual Review for 1954 included the following passage:—

“Objections were raised in certain quarters against the application of the Indian Constitution. But these objections overlooked the simple fact that the strivings of the people of Kashmir for freedom and democracy, antedate by nearly two decades the present dispute between India and Pakistan. These strivings could not be put in cold storage. The application of the Indian Constitution guarantees to the people of Jammu and Kashmir fundamental rights and liberties and ensures orderly, peaceful and progressive developments. It in no way prejudices India's voluntary offer of a plebiscite.”

The people of Kashmir were not to be left in a constitutional vacuum, and the President's action was but a gesture of rescue. Once again the desire to tidy up the legal position was evident. Yet all these moves could by no stretch of the imagination have been regarded as compatible with the eventual freedom of choice for Kashmir which was still professed.

In accordance with the Presidential Order, new financial arrangements enabled the State to benefit greatly from Indian generosity. With effect from 13th April 1954 certain measures came into operation which placed Kashmir under an obligation and which must now be regarded as an economic web that would prove exceedingly hard to disentangle. The most significant move was the abolition of the State Customs duties. Kashmir had for years derived a considerable portion of her income from duties and excise imposed on trade with British India. Yet a Customs Office on the main road from India could only be regarded as a symbol

<sup>1</sup> *Kashmir: An Estimate of Progress*. Lalla Rookh publication. Srinagar, 1955.

<sup>2</sup> Explanatory article in *India News*, 22nd May 1954. See also Chapter Fourteen, p. 168, in which the anomalies of the legal position are discussed.

of division, whether the people divided were mutually friendly or hostile. Inter-State duties were accordingly abolished, an annual grant of Rs. 250 lakhs being made by India to compensate Kashmir for the loss involved. In addition, since certain departments in the State became India's responsibility under the new constitutional arrangements, India had accordingly to pay for their upkeep. The State Forces were absorbed into the Indian Army previous to 1st September 1949. The main road all the way from Uri through Srinagar to Jammu and on to Madhapur had long since been regarded as a national highway to be maintained by India. The Centre also took over the telegraph services, broadcasting, and meteorology. In various ways the State was relieved of much expenditure, leaving indigenous revenue free to be applied to the development of the State.

In looking into the future repeatedly, we encounter these significant circumstances of India's financial commitment in Kashmir. Following the international fashion, Abdullah's Government had set about drafting a five-year plan. Bakshi Ghulam Mohammed then claimed that Abdullah's plan had foundered on the rocks, and drastic adjustments were made. The result was a plan recast to cover the same period as India's five-year plan—namely, 1951-56. The plan covered expenditure amounting to Rs. 13 crores, of which no less than Rs. 7 crores represented works financed by the Indian Government. After the dismissal of Abdullah, revised estimates resulted in this amount being stepped up, and in 1954 India's contribution amounted to the huge sum of Rs. 879.45 lakhs. This compared with Rs. 384.51 lakhs which was the contribution in the State section.

The greatest single item of expenditure came under the heading of "Power schemes", the total involved being over Rs. 250 lakhs, of which India's share amounted to Rs. 238 lakhs. The major portion of this sum was allotted to the Sind Valley hydro-electric project.<sup>1</sup> Fishermen with memories of happy days spent by the riverbank at Ganderbal will view with mixed feelings the arrival of a modern power-station. Casting for trout to the hum of turbines will not appeal. Another way of viewing the matter is to recall that the existing supply of power to Srinagar has for years been quite inadequate to take the load demanded, and the behaviour of the electric light on any evening in the spring of 1955 was testimony to the need for more power. In general terms, the whole Kashmir Valley had been short of power, and the new source should place supply on terms with demand for the next two decades.

In March 1955 the economic relationship with India led to some heated exchanges in the Kashmir Assembly. The leader of the small opposition, Mirza Afzal Beg, attacked the whole position of the Indian subsidy. The abolition of Customs duty had of course been as much a political gesture as anything else. Beg's concern, however, was mainly

<sup>1</sup> Estimated to cost Rs. 201.68 lakhs. Expected eventually to generate 15,000 kW. of electricity and irrigate 3,000 acres.

with the circumstances through which Indian assistance to compensate for loss of Customs revenue would tend to postpone still further the day when the State could stand on its own. Bakshi Ghulam Mohammed's reply was to reiterate that, as Kashmir was a part of India, it was not accurate to regard Indian funds as a subsidy. In another chapter I have referred to the far-reaching implications of the Indian assistance. Here I am attempting only a factual account of its scope with some comment on economic issues and the potential development of the State.

The mineral potential of Kashmir is as yet unknown. Mr. E. R. Gee, of the former Geological Survey of India, once undertook an investigation which revealed, among other riches, the prospects of copper ore in Baltistan, borax in Ladakh, and alluvial gold in the upper reaches of the Indus. In the neighbourhood of Riasi, in the south, seams of anthracite coal await exploitation. Bauxite has been found in association with coal-bearing deposits. Precious and semi-precious stones, such as sapphire, ruby, jade and lapis lazuli, are available. The forests of Kashmir for years furnished the Punjab depots at Jhelum and Wazirabad with a ceaseless supply of timber. In conjunction with electric power, the development of which may be regarded as in its infancy, the future of a State unhampered by political controversy can without wishful thinking be regarded as imaginative and prosperous.

Nevertheless the fact has to be faced that if progress is to be maintained, some outside agency must subsidise a united Kashmir to the extent of about three times the present State budget,<sup>1</sup> whether it be India or Pakistan, the International Bank or the ever-vigilant generosity of the various American foundations.

There might then follow a plan by which outside assistance would be scaled down over the years as the State became more and more self-sufficient. We seem to have forgotten the effect of the reopening of communication with Pakistan on the State's economy. If Kashmir could once again enjoy her unrestricted trade with Pakistan without losing the benefit of the associations which have been built up with India, there is no limit to the position she might win as a progressive and prosperous Utopia. Sooner or later the railway from Rawalpindi to Srinagar, which for years has been discussed, would materialise, to be followed by an obvious expansion of trade and tourism.<sup>2</sup>

Meanwhile the physical achievement of the Kashmir Government on

<sup>1</sup> The revised figures for the budget of Indian-held Kashmir for 1954-55 were: State sector, Rs. 94.12 lakhs; Central Assistance, Rs. 297.63 lakhs.

<sup>2</sup> As an example, practically the whole of the 1954-55 budget expenditure under the heading of "tourism" was contributed by India, the amount being Rs. 11.14 lakhs. With the port of Karachi available for tourists to Kashmir, the American and European tourist traffic, which at present is negligible, would be stepped up to offer a very valuable contribution to State revenues. It should be remembered also that West Pakistan possesses only two hill stations, Murree and Quetta. With the Vale of Kashmir once more available, the Pakistan tourist traffic would itself swell the numbers.

the Indian side has been considerable. The various pamphlets which set out the details invariably begin by reminding us that everything started on 9th August 1953. Until then Sheikh Abdullah's administration had apparently sat back and gone to sleep! The fact that numbers of Bakshi Ghulam Mohammed's colleagues had themselves held responsible posts under Abdullah is conveniently avoided.

One of the first steps of the new Government was to set up a Committee—the Wazir Committee<sup>1</sup> to inquire into the alleged malpractices of the former regime. The Co-operative Movement was selected for special condemnation. Embezzlement, misappropriation and misapplication of the funds had accounted for the movement assuming the aspect of a tyranny in the eyes of the peasant. Fortunately, with Indian assistance there appeared to be ample funds available to put matters right. The establishment of mobile credit agencies, advances to peasants up to Rs. 13 lakhs and grants for a walnut growers' co-operative were some of the measures claimed to have been taken.

But by far the greatest imposition inviting removal was the oppression of "Mujawaza".<sup>2</sup> The charge against the former nationalists was that under the system of procurement the party hierarchy had indiscriminately helped itself to grain, invoking the interests of the State. The Wazir Committee were frank in their criticism. "To enable them to deliver the quantity of Mujawaza under the levy peasants had to resort to the black market to purchase the quantity at an exorbitant rate two to three times that fixed by the Government." Mujawaza was accordingly abolished.

In one way or another the new Government claimed to have given the peasant the benefit of their wisdom and benevolence under some twenty headings.<sup>3</sup>

Of undoubted significance is the policy to encourage the *panchayat* system with an expenditure of Rs. 16 lakhs.<sup>4</sup> For the system seeks to teach the people the art of government from the bottom of the rung.

<sup>1</sup> Under the Chairmanship of Mr. Justice Wazir, a former judge of the Lucknow High Court and subsequently Chief Justice of the Kashmir High Court. His report of 240 pages was submitted on 1st June 1953. The Committee recommended that the limit of land ownership should be raised to 38 acres in the Jammu Province and 28 acres in Kashmir, in the case of *dry* soil. Under the previous legislation ownership of land had been fixed at a maximum of 22½ acres, irrespective of the fertility of the soil. (See Chapter Two, p. 34, Footnote <sup>1</sup>.)

<sup>2</sup> A tax, of many decades, on food grains, based on a fixed percentage of the produce at fixed low rates.

<sup>3</sup> The list included the reduction in the price of Government wheat, atta, and rice from approximately Rs. 18/- to Rs. 12/8 per maund, the remission of co-operative debts, scaling down of rural indebtedness from Rs. 2 crores to Rs. 86 lakhs, flood relief grants up to Rs. 10 lakhs, subsidies on the sale price of salt, lavish expenditure on animal husbandry, and many other benefits, representing a charge on the State which in turn would only be met by Indian generosity.

<sup>4</sup> The old indigenous village system of administration by a Council of five, for centuries operated on a hereditary basis.

When, however, it was claimed that "Primary surveys are also conducted by them to determine socio-economic trends in the life of rural areas", it seemed that the Kashmir Government was allowing its imagination to run away.

Kashmir is a country which need never fear the consequences of drought. Indeed, the measures necessary to protect the country from floods indicate a problem of water in abundance. For this reason much of the comment associated with the question of the rivers of West Pakistan and northern India in relation to Kashmir's ownership has been misplaced. The problem is clear cut and closely concerned with Indo-Pakistan relations. But it hardly affects the welfare or development of Kashmir. For this reason I have found it convenient to cover it in a separate Appendix.<sup>1</sup> Here we should only note that, for Kashmir, the matter is one of lifting much available water on to islands of land which remain above the various irrigation lines. For this purpose tube-wells have to be sunk and power is required to drive pumps. Whether 100,000 or so extra acres of rice-land will be sufficient to render the State independent of importation must depend on the ability of Kashmir to face the old familiar problem of harnessing the population to its resources, a matter which even progressive Kashmir may not have considered.

The drive to self-sufficiency is also related to the age-old demand to protect the soil from erosion. And here the people face their great test. It is so easy for a junior official to tell the villager that he now possesses the country and can do what he likes with his own hillside. The official wins popularity. The peasant enjoys his sense of freedom. His goats can nibble the branches to their stomachs' content. A few years of apathy can destroy that which will take a century to rebuild; and we can but pray that the awareness of the danger at high level will penetrate down to the village.<sup>2</sup>

It is the claim of the State that responsibility for advice on State planning has been placed on the shoulders of the people. Taking the village as the working unit, Primary Development Committees were formed and a system of reports was evolved through an upward channel of communication, reports eventually arriving before a State Planning Board. It remains to be seen whether the machinery is to be effective. At least it can be said that sound and sensible principles have been committed to paper. We therefore do not doubt that there are men at the top who understand their problem. The degree to which the efficiency and enthusiasm of a few can be interpreted into action by the many, withstanding the familiar onslaught of corruption and apathy on the way, will be the measure of success in Kashmir's development.

<sup>1</sup> Appendix XII.

<sup>2</sup> In the case of the application of "game preservation" rules, I had evidence that chikor and partridge were being indiscriminately shot and netted, the local official taking the view that the peasants could now do what they liked.

## CHAPTER SIXTEEN

### 1955. MORE PERSONALITIES AND A SOLUTION

**I**N March 1955 I paid a hurried visit to Jammu and Srinagar with the object of judging the political climate for myself. The Kashmir Assembly was in session, and I asked to be allowed to watch its proceedings. The House sits in suitable dignity in the Durbar Hall of Maharaja Gulab Singh's old palace. I listened to the familiar flow of question and answer, after which the Finance Minister was busy with the presentation of his budget. I recalled the circumstances in which the Assembly had been set up and duly noted the rather monotonous chorus of approval which punctuated Girdari Lal Dogra's oratory.

In appearance the Assembly were an uneven brotherhood. The young Lama Bakula from Ladakh was absent, but I was informed that when present he made excellent speeches in Ladakhi on behalf of his flock, which of course had to be laboriously interpreted before he was understood. Otherwise, proceedings appeared to be in polished Urdu helped out with Kashmiri and the occasional resort to an English term or expression.

The Kashmir Assembly of seventy-five is divided fairly evenly between Moslem and non-Moslem members. A token opposition of eight is allowed to function under the leadership of Mirza Afzal Beg.<sup>1</sup> Members sit both as a Legislature and a Constituent Assembly, for according to the Assembly's claims it has still to complete its task for adjusting the Indian Constitution to its needs. There was nothing slovenly in its procedure, and it seemed to have adapted the machinery of Westminster to local needs with success. The Press Gallery was hard at work, the Chair was respected, a movable loud-speaker system ensured that the most timid member was heard in the galleries, and spacious ante-rooms provided relaxation. It was only in recalling the manner of its election that I was disturbed at the symptoms of equanimity. I turned to the Government bench and two gentlemen attracted my attention. Unlike the vagaries of the majority in their white cotton shirts and *pashmina* waistcoats, the men who interested me were carefully dressed in conventional light European suits.

I was later able to interview both Ghulam Mohammed Sadiq and Mr. D. P. Dhar; and since with minor variations they expressed the same views, it will be convenient if I sum up the content of their argument; for it includes the real substance of the Indian case, in contrast to the surface approach concerned with India's dilemma. I would first qualify

<sup>1</sup> Arrested with Sheikh Abdullah in August 1953. Released in November 1954.

a summary by noting a general impression which gained strength as I moved from Jammu to Srinagar. Whatever the future may hold, no local government of a united Kashmir could now afford to dispense with the existing machinery. That applies not only to the formidable scope of legislation which has been passed and which continues to absorb the attention of the Assembly, but also to the impressive measures of development, social, technical, and industrial, which have been initiated. Nor is it possible to visualise the services of the present personnel concerned being scrapped. Suppose for a moment that, as the result of a plebiscite, Kashmir passes to Pakistan, it would be impossible to wipe the slate clean and forget either the present Assembly or its work without completely disrupting the life of the country. Nor should we presume that Pakistan would wish to do so. Against this background let me attempt a more detailed analysis.

The Cabinet of Indian Kashmir consists of five ministers with five deputies. Of these ten individuals quite obviously the two who mattered were G. M. Sadiq, the Minister for Health and Education, and Mr. D. P. Dhar, the Hindu Deputy Home Minister.<sup>1</sup> In effect the latter's appointment placed him at the elbow of the Prime Minister, and the impact of his thought most certainly asserts itself over the whole field of government.

When not concerned with the drive to educate Kashmir, Mr. Sadiq acts as President of the Constituent Assembly, a role in which I was not able to see him in operation. But as a Minister I could well appreciate that he was a living force, and since in England he has the reputation of being a Communist, I was curious to test my own reactions.

The arguments I encountered were quite simple. The people of Kashmir had for centuries been exploited, oppressed and deprived of the prospects of human dignity. For the first time in their history they were governed by an administration which placed their interests before all other considerations. A pattern of democracy which had taken a thousand years to grow out of the life of the British people could not be imposed on Kashmir. Here was an approach which Englishmen have themselves frequently developed. It was certainly not the kind of comment to be expected from a Communist. Mr. Sadiq then enumerated some of the achievements of the administration. Kashmir is not self-sufficient in food. In past years as much as 1,000,000 maunds of rice per year had had to be imported. But they were closing the gap. The figure was now 700,000 maunds. In two or three years it would have disappeared. Prices had been coming down in a most spectacular

<sup>1</sup> The Cabinet consisted of:

Prime Minister	Bakshi Ghulam Mohammed
Health and Education	G. M. Sadiq
Finance	G. L. Dogra
Development	S. L. Saraf
Revenue	Mir Qasim



way. In 1952 rice had sold at Rs. 110 per maund. To-day the Jammu price was Rs. 10 per maund! I asked how this astonishing fall had been achieved. His answer was that under the instability of Abdullah, the peasants had panicked and had hoarded rice. Under the terms of a forced levy they were compelled to sell to Government. The new Government had come forward with the object not of compulsion to sell, but of offering a fair price for rice sold to them, thereby providing an alternative to the depredations of the grain-dealers and exercising a loose control of sale and purchase. The intention was to persuade and coax rather than to compel.

I told Mr. Sadiq that in England he had the reputation of being a Communist. I added my comment that while I realised he had the interests of Kashmiris at heart, and that his Government had achieved much material progress, there was always the danger, for those whose policies attracted the attention of Communists, of waking up one day to find that they had surrendered the liberty of their minds. His reply was that so far as he was concerned the liberty of his mind meant the ability to plan progress, to continue to serve Kashmir and to see through to their conclusion the many ambitious plans for his country's welfare which had been initiated. Mr. Dhar's argument was very much on the same lines. Dhar is a Kashmiri pandit who took his Law Degree at Lucknow University. Sadiq had also taken Law at Aligarh. The only noticeable difference between them was that Dhar seemed slightly less rigid and more effective, in that his command of the English language was faultless. Dhar stressed the fact that the Indian Army had accepted responsibility for guarding the passes between Kashmir and the Tibet-Sinkiang frontiers, that the few entries from the north were all checked by the Army and that the only large entries had been a party of Khazaks fleeing from Communist oppression who had been afforded asylum in Kashmir. Kashmir's hospitality had in fact resulted in some unfriendly criticism from the Chinese.

I think it is correct that talk of leadership being in touch in any way with Communist Powers in some form of secret diplomacy is nonsense. The more likely development is that the Indian Communist Party, sensing a fruitful breeding ground, are constantly on the alert for opportunities to exploit a policy and administration which is so close to Communism in many of its internal aspects. And yet, assuming that the object is also to strengthen the ties with India, there would seem little logic in playing into the hands of Indian Communists at a time when Indian leadership is undoubtedly awakening to the menace within its own country.

The need for any future dispensation to preserve and utilise talent has been stressed, and in the case of Mr. D. P. Dhar it is difficult to escape the conclusion that his services should be assured in the interests of efficient administration even at the expense of some concession to principles which we do not accept. Both Dhar and Sadiq may be men more interested

in power than convictions. But in a country so backward as Kashmir it is probably wise to cling to mere ability when and where possible. In passing, it is interesting to note the supremacy of the Kashmir pandit in so many aspects of public life. We find a Kashmir pandit, Prem Nath Bazaz, with persistence and great ability advocating a certain policy for Kashmir. We find another pandit with equal force and eloquence supporting a policy in direct opposition. Whatever the fate of Kashmir, the pandit's flair for leadership in many spheres will inevitably assert itself.

In stressing the difficulties of a plebiscite, Dhar made a point which was interesting in its naïve dismissal of a democratic verdict. "Supposing", he said, "that a plebiscite was to go against India? What would be the Indian reaction? Indians would say that in Kashmir's hour of need you turned to us and we came to your rescue. Having saved you we built you up and poured our money and talent into your country. The reward of our friendship is your accession to Pakistan." A wave of anger and frustration throughout India would be the result. The loss of Kashmir would bring about the fall of Nehru. Communal passions, for so long dormant, would once again break over the sub-continent. The great Moslem minority in India would be the first to suffer. The clock would once again be set back, and recovery a second time might be a still more laborious process. To these gloomy forebodings there seems to be one answer. If in these hypothetical conditions Indian authority was only content to allow the national sentiment to take its course, there would certainly be some danger of deterioration, with riots and retaliation on the Moslem minority and on political leaders. But if Nehru was to lend the great weight of his word in a full statement before the Indian nation appealing to its judgment and political maturity for a sacrifice to be made as a matter of principle, I cannot but believe that he would carry public opinion with him.

Of Bakshi Ghulam Mohammed, the Prime Minister of Indian Kashmir, I had a happier impression than I had expected. Like Abdullah, he comes of humble Kashmir stock, his father having been a tailor working on an income of a few rupees a month. Bakshi's brother, Abdul Rashid, now owns much land in Srinagar and is the present Secretary of the National Conference. Bakshi himself lives comfortably but not ostentatiously in the bungalow formerly occupied by the Assistant to the British Resident. Over his mantelpiece was a garlanded picture of Mahatma Gandhi, a manifestation of a former reverence difficult to reconcile with the methods which are to-day associated with Bakshi's administration. His presentation of the case against the plebiscite was not so fluent as the argument of his lieutenants. He was slower and more cautious in speech. "*So far as we are concerned*," he said, "the issue is settled." This has been the Kashmir Government's official attitude for the past two years. As he spoke the words, I could think of only one alternative interpretation which might be hidden behind a normal reading of his assertion. It was that he had in mind the possibility that control of the situation

might pass out of his hands. "So far as *we* are concerned," he had said.

Bakshi Ghulam Mohammed is usually referred to in Pakistan as a "yes-man" of India. This is true in the practical sense that he implements Indian policy. But since it is a policy of which he approves, it by no means follows that he is politically a coward. When in doubt it is wise sometimes to turn to the judgment of others. In this case I asked two reliable Indian friends, both in a position to offer an authoritative opinion. The one disliked the Bakshi Sahib intensely and regarded him merely as India's agent in an Indian satellite State. The other spoke of his courage and loyalty to Kashmir. His action in relation to Abdullah was that of a man in a dilemma between a personal issue and a sense of duty. I had not the slightest doubt that his appeal, if any, to the people of the valley in mid-1955 was still obscure and that he would receive little consideration if the public choice was between him and Abdullah. For the world removed from these obscure intricacies of personality it is fair to leave it at that.

And what of the Indian Prime Minister? It is a matter of common knowledge that for him the issue is very personal. In a real sense I feel that the Pakistan case has perhaps suffered because whenever the two Prime Ministers meet we witness a gentleman from East Bengal arguing on behalf of Pakistan and a gentleman of Kashmiri Brahman stock answering for India. The Pakistan Prime Minister enters the conference room briefed thoroughly by his Cabinet. Mr. Nehru, in contrast, plays his own cards and answers to nobody, though doubtless he would deny it. If and when Kashmiri policy is discussed in the Indian Cabinet, we may be fairly certain that whatever policy or action Mr. Nehru may advocate would be accepted.

By the spring of 1955 there were indications that Mr. Nehru was not completely satisfied by the somewhat leech-like attachment which the Bakshi administration in Kashmir cultivated. Early in March for the first time he administered in effect a mild rebuke to the Kashmir Government when in the Lokh Sabha he declared that decisions in regard to Kashmir's accession "could not be taken unilaterally". Here it seemed was the first public denial of Bakshi's claim that accession to India was necessarily a *fait accompli*. After all these years could there be a reorientation of the Indian approach?

Knowing that the subject is not a popular one with Mr. Nehru, I was in some apprehension as to the mood in which he would discuss it. There were many other more theoretical matters on which I would rather have heard his views; for the range of his experience is now illimitable, and it would have been a privilege merely to have roamed round the international scene picking on the features of my choice. I told him of my conclusion that the constructive work which had been done in Indian Kashmir should not be jeopardised. I told him also that I fully appreciated the practical difficulties of a plebiscite. In view of those difficulties,

I suggested that the most effective way to discover the will of the people would be to allow no canvassing whatsoever, but merely to face the peasant with a simple choice. Are you in favour of your country going to India? Or to Pakistan? A mark against the saffron or the green? The logical alternative, that champions of both causes should be permitted to press their claims, I considered too difficult. Mr. Nehru's reply was that to place so complicated an issue in so simple a form before a Kashmiri was equally illogical. What then *was* his conception of a plebiscite? In his answer he seemed to offer a completely new pattern to that usually understood as the method of discovering the will of a people. The Kashmiri was illiterate. A plebiscite surely envisaged that the voter should understand the issue at stake. That being so, it would be advisable for the people to elect an intelligent representative group, which could then take the decision on their behalf. The presumption was that this would not be the existing Kashmir Assembly but some newly elected body of individuals; though I confess that at the time I did not clear up the point. Here was a new interpretation, and it remains to be seen if it is to be pressed in future negotiation.<sup>1</sup> I then put a question which in my view involves the substance of all aspects of the plebiscite commitment. "For what purpose are troops, irrespective of their actual number, required in Kashmir during a plebiscite?" Mr. Nehru thought for a moment, for much depended on his answer. There followed a measured persuasive reference back to the past. I was reminded of October 1947, and of the strategic advantage always enjoyed by Pakistan. I was told that while Pakistan leadership could be trusted, local elements in Azad Kashmir and on the North-West Frontier could not. It was a case of "once bitten, twice shy". Finally I asked him about the controversial matter of the "disposal" of troops during a plebiscite. Here I was given quite definitely to understand that it would be the intention to concentrate troops at one or two points and not sprinkle them about the valley where they might intimidate the voter. If Mr. Nehru really meant what he said then the number of troops which India demands in Kashmir when the "bulk" leave, whether it be 21,000 or a few more or less, does not materially matter; and for Pakistan to accept the higher number might prove wisdom in their interest. These questions, usually regarded as of an explosive nature for Mr. Nehru, were dealt with patiently and carefully. Thereby I had some idea of the power of charm and persuasion by which this unusual man is often able to disarm those who come to criticise. For myself, I was impressed but by no means convinced.

What then is the nature of Nehru's attitude to a plebiscite? A generous yet possible interpretation would, I think, hold that when the first proposal came from India in 1947 Nehru was but responding to a sincere

<sup>1</sup> It should however be recalled, in fairness to Mr. Nehru, that at a very early date (December 1948) in conversation with the Colombian delegate of U.N.C.I.P., Nehru had mooted some other form of ascertaining the will of the people. See Chapter Seven, p. 98.

impulse to settle the issue according to recognised principles of international justice. A sense and appreciation of international opinion would have appealed to that part of his nature which is aware of the new morality of international arbitration. But having made the initial concession to idealism, he gradually reorientated his views and searched constantly for the means by which he could rationalise his own interpretation of a plebiscite and the method by which it is to be conducted. For him the plebiscite became a dilemma. Each time the subject is mooted a fresh delay is introduced, until it seems clear that the motive has become one of so postponing the evil day as to render it for practical reasons beyond our reach. It is not a happy conclusion for one who would gladly be convinced of an alternative.

Finally it is unjust to condemn Mr. Nehru's attitude without taking into account his sincere contempt for the pattern of thought which would shape the destiny of a State around a communal decision. Carried to its conclusion the argument ends in the supposition that if religion is to be the basis of nationality—and Kashmir is regarded as the test case—then some 40 million Moslems in India and 12 million Hindus in East Pakistan immediately become semi-aliens. If a verdict in Kashmir proved by chance in favour of secularism, the validity of the Pakistan State itself might be regarded as open to question. For here would be a serious negation of the religious State. Moslems invoke the Prophet in support of a contention that the Islamic State is also the true interpretation of democracy. Yet Mr. Nehru could hardly be blamed for not regarding it in that way, even though he could be reminded that the Indian Congress in previous days failed to impress us with its impartiality.

For a moment I would return to Kashmir and the picture which a visitor in 1955 saw clearly, even though the experience was brief. For where there was the chance of a comparison with our own careless, happy days between the wars one could gauge the difference and contemplate its meaning. Jammu resembled a war-time base. Rest camps, staging camps, dumps, hospitals, notices and signposts, lorries and jeeps, in rows or on the dusty roads: a happy army it might be, popular in the countryside, as the Indian Press would have us believe. But it was an Army of Occupation, and no amount of eulogy in the *Hindustan Times* could hide the fact. Indeed, the constant and persistent reminders of the popularity both of the Army and of Bakshi Ghulam Mohammed's Government were the very reasons why I suspected that the truth was hidden. The other feature so disturbing for those with memories of the inconsequencies of the past was the atmosphere of suspicion. I myself could have no complaint. I was a State guest in a Government guest house, and received nothing but kindness. But those less fortunate could tell a different tale. First there was the permit of entry from the Indian Government, usually involving at least a fortnight between application and receipt. For a few elderly Europeans who had lived many years in Kashmir and who wanted nothing more than to rest undisturbed in the land where a former

dispensation had given them a modest home, it was rather cruel and unnecessary to start asking them to appear at frequent intervals for their permit renewal. Secondly was the trailing of citizens who for any slender reason could be regarded as critical of the Indian association with the State. In particular, Americans and Pakistanis were subject to the attentions of rather self-conscious shadows who sometimes reluctantly followed them about. On one occasion an official of the United Kingdom High Commission in Pakistan, after receiving his permit with difficulty, was trailed for most of his brief holiday. These attentions were particularly noticeable at the time of Abdullah's arrest, when Bakshi Ghulam Mohammed was busy with his references to the sinister intentions of an "outside power".

It was difficult to reconcile the formidable system of permits with a desire to encourage tourism. But more significant was the mere psychological effect of an army and a lot of propaganda. I have not the slightest doubt that the behaviour of the troops was exemplary. That is hardly the point. Their presence was not normal, and never will be. They may build roads and sink wells and dig canals. But unless India is prepared to pay for locking up most of her Army in Kashmir until the end of time, there must come a day when the Kashmiri will be required to support himself. In those circumstances one wonders if the new roads can be maintained. In similar conditions a magnificent highway in Persia now lies in disuse through the lack of the facilities or the will to ensure its upkeep. Was the Indian Army really happy? I doubt it. The measures for their recreation were fully organised, as will always be the case when armies are on a job away from home. But the Madrassi sepoy wandering rather aimlessly down the "bund" at Srinagar may well have had his mind many hundreds of miles away; while at least one senior Army officer took the familiar service view that it would be a happy day when politicians permitted soldiers to get back to their homes.

I have introduced a diversion in order to emphasise the essential nature of a situation which few in the West can appreciate. Indians will stress the fact that an army has in any case to be paid, and that the extra expense of placing it up in Kashmir is not so very formidable. This is not true. An army maintained in the field at a distance from its barracks in India is, as a matter of common experience, a heavy financial drain: and the size of the Indian military budget is sufficient evidence. Apart from the recognised purpose of the Indian Army related to Pakistan's intentions, there was another aspect of their presence which democratic propagandists in India have always challenged. In its more crude form it would be expressed as "the need to support Bakshi's Government with Indian bayonets". This could be an overstatement. Nevertheless there was much evidence that Bakshi Ghulam Mohammed would feel less confident of his position if the bayonets were removed; which all bred a feeling of artificiality so incompatible with a final and natural state of permanency.

The time has come to gather up the strands of so much argument and attempt a conclusion.

At one time or another I have turned over the possibilities of different approaches. There is much attraction for the idea of an Independent Kashmir under Commonwealth trusteeship. In such a solution there might be a place for Indians and Pakistanis and Englishmen. Here would be the means by which a unique relationship of members of the Commonwealth, sharing responsibility in a condominium of three partners, could also act as a bastion of strategic and political stability in the entanglement of Indo-Pakistani relations. The goal would still be to lead Kashmir forward to the day of its own choice; a choice that could include the possibility of an independent status which is out of the question in the present circumstances. The prospects for such a sane solution are slender in view of the practical difficulties, even though there may be those in India and Pakistan who would be prepared to join Englishmen in such an adventure. My condominium may be a castle in the air; yet it is right that it should be remembered. The idea came to me in 1951 and it was with interest that in 1954 I noted a similar proposal from an Indian advocating a condominium of Pakistan and India. History repeats itself mainly because men do not study it. Somewhere and at some time there may be another Kashmir, another Britain, and another sub-continent. For the benefit of that situation I ask indulgence for the sanest yet most improbable of solutions.

More recently I shocked a Minister in Whitehall by vaguely hinting that the 1955 Bandung Conference might have attempted a solution. It seemed unlikely that the conference would have succeeded, but that was no reason on which to base an objection. If the nations at Bandung could have solved Kashmir, who would not have welcomed their wisdom? If they failed, at least their attention would have been drawn to the circumstances in which Asia sometimes has to consider putting her own house in order. It was therefore with interest that I read in the May 1955 copy of *Voice of Kashmir*, an editorial under the title of "Bandung brings Kashmir's freedom nearer". Apparently the Kashmir Democratic Union had circulated their views to the twenty-nine delegations at Bandung. It would have come as a surprise to those present to realise that there were Indians who acknowledged Kashmir as the victim of their own colonialism; while we had to thank the realism of Sir John Kotelewala of Ceylon for a general exposure of the curious obsession that problems such as Kashmir are creations of Western design.

So often in international affairs settlement is a matter of avoiding injustice for the fewest possible. To satisfy everyone is quite unattainable, and Kashmir is no exception. Any individual's idea of what to do and how to do it will be governed by certain personal beliefs and habits of thought which he attempts to apply in his own daily experience. In my case I have always clung to the theory that no one system is infallible and that to choose what is good in many systems and harness them into

a way of life, political, social, or even religious, must lead men on to new horizons. A philosophy of eclecticism, it might be termed. Applying these ideas to the present case, we see a number of possible developments which might assist solution. One principle should govern our search. It is the principle of flexibility. Any attempt to solve this problem according to a military plan carried through with precision to a timed schedule will be doomed to failure. That was the weakness of former methods. Moves will have to be made one at a time, each step indicating the nature of the one to follow. If this reasoning be logical, it will be seen that in the opening stage a suggestion can be made, but that subsequent developments can only be indicated according to certain principles which should appeal to men of goodwill and common sense.

One of those principles is that men should accept the proposition that the welfare and interest of the people of Kashmir are of paramount importance. From this there follows a simple deduction, to which I have previously drawn attention, that no step should be taken to undo the practical work that has already been done. The Sind Valley hydro-electric scheme must be completed. The flood relief canals must fulfil their errand of hope. The Banihal tunnel must open the route to India for trade throughout the year. Bearing this in mind, we encounter a question as to the relationship of a plebiscite to the unquestionable measures of material progress which have been initiated. If you were to put the question to a peasant: "Do you wish the Sind electricity scheme to be completed?" he would say "Yes". If you say to him, "Do you wish Kashmir to accede to India?" he might say "No". If we are to satisfy him, we should not only allow him his choice of Pakistan, but also we should make arrangements for the present development plans to continue. That India should continue to pour in money to finance the development of Kashmir in the knowledge that she might lose the country would be asking too much of Indian leadership. The suggestion which very naturally calls for consideration is, therefore, that international finance should be available for the Kashmir Government during a period of doubt and possible transition.

What of the other obligation to the Kashmiri peasant—the obligation to allow him his free choice, in the form of a plebiscite? The question requires analysis. So often the plebiscite is spoken of as an *international* bargain, a commitment by India to undertake some kind of action as a duty in the eyes of the world. It is forgotten that the obligation is above all to the Kashmiri: and here we face a fundamental problem of great complexity. First let me hazard the effect of testing the will of the people. In so far as Srinagar, the capital, is concerned, with Abdullah as a prisoner I would suggest that in the spring of 1955 the issue was in doubt. The Indian Army brought employment. The almost fanatical zeal with which the tourist trade was encouraged has had some effect. These days there are few European visitors, but Indians in their thousands went up in the summer of 1954, and they were expected again in 1955.



Frequently official encouragement of groups and societies to take holiday parties to Kashmir is the method by which the tourist traffic is swollen. The fact that Americans were followed around and that anyone from Pakistan was suspect did not greatly affect the numbers. The Srinagar trader is a fickle citizen of his country, and he will follow the money. The agency which brings in the tourist will therefore receive his support. The further away from the capital, the more certain would a vote be in favour of Pakistan. Two Englishmen who have lived these last few years in Srinagar and have moved much around the countryside, took the view that a free vote taken anywhere west of Srinagar would be overwhelmingly in favour of Pakistan. There might then emerge the curious result that the Kashmir Valley would vote in favour of Pakistan, while Srinagar, the capital, in the centre, might record a majority for India. If as a result of a majority decision Srinagar had then to conform to the wishes of the valley, I have no doubt that the boatmen, the jewellers, and the vendors of papier-maché and shawls would quickly fall into line. But the real question to be faced is that posed by Mr. Nehru: where the voice of an uneducated peasantry is concerned, is it in their interests to offer them their freedom of choice? I fully appreciate the wisdom of the view which would say "No"; but in my belief it is wisdom of a limited nature. The immediate interest of Kashmir might lie in an indefinite *status quo*. But if the illiterate peasant is ever to learn the process of democracy, he must learn through trial and error. In other words, at some given moment he must make a start. This is the identical principle which India adopted when she decided to hold elections on a basis of universal adult franchise; and where it was accepted for India it should equally be applicable to Kashmir. Dewey's philosophy of experience tells us that men may have to learn through war, pestilence, crime and all manner of human folly; but that sooner or later *they do learn*. That, rather than its immediate result, is the true wisdom of a plebiscite.

Viewed in this light, the present Government of Indian Kashmir assumes a new aspect. While men of ability such as Dhar and Sadiq command our respect, it has to be admitted that the Government which they represent is unrepresentative of the people. Let them first prove that the people accept them in a free election. If they are returned to power, their continued services are assured. If they win their seats only to find themselves on the wrong side of an Assembly, they can still make their very formidable contribution according to the functions of an Opposition in normal democracy.

But all this can happen only after the Kashmir Valley has taken its decision on its future allegiance; and so we return to the conclusion that the first step should be the plebiscite on the question of accession. I can only repeat the view, unacceptable to Mr. Nehru, that the practical way in which this could be effected is to face the people with one question and one question only: India or Pakistan? Not only that, but those

who pose the questions should carry the authority of complete impartiality; and this presupposes the use either of international administrators or of Indian and Pakistani observers working in pairs together. My own belief is that personnel of the two armies could provide the effective supervision. The fact of the two countries themselves contributing to the task would not be without its psychological effect. The suggestion came from India that an Indian should undertake the duties of an election commissioner; and what more experienced and impartial expert could there be than Mr. Sukumar Sen, who conducted first the Indian elections and was then made available for a similar task in the Sudan. Let the proved administrator work the machine. But where the actual vote is recorded a careful watch on methods and the prevention of intimidation would be essential.

Interpreted as a simple issue without encumbrance of slogans and the shouting of minor politicians, the difficulties of a plebiscite are considerably reduced. It remains to consider its morality in the light of the aspirations of those who would establish the secular State. Does in fact a State become the more secular because its people finally accept an accession in which they had no initial choice? The principle of secularism must grow from a people through many generations of experience and education. It cannot be imposed. I suggest that those who wish to press on with their schemes and dreams of a social and material paradise would find their feet on far firmer ground once this plebiscite is behind them. Let the people choose first. Their co-operation will be available all the more willingly once they can claim to have expressed their desire. If this be true, then quite obviously before a plebiscite is held a situation must pertain, which has already been mooted, that Kashmiri talent, whether in Indian or Azad Kashmir, must be regarded as available for the State after the results of a plebiscite are known, whether those results are favourable to India or to Pakistan. I cannot but believe that if the issue is put to responsible men in this form, not only its sense but its challenging opportunity would be recognised.

The fact that inevitably during the period of a plebiscite and its preparation some dislocation of normal administration will take place has to be accepted. The greater reward of finality based on the ultimate will of the people would with the passage of time prove the temporary nature of the penalty.

There seem to be certain preliminary measures which should be taken. These might represent the opening stage to which I referred. First, all political prisoners, naturally including Sheikh Abdullah, should be released. Secondly a conference would be called of all those individuals, shades of opinion, and political parties who can claim an interest in Kashmir. Indian, Pakistani and Kashmiri representation on a governmental and party basis would be necessary. Its number could, I suggest, be limited to thirty. I spoke of the possible contribution of a third party. If it can assist progress, an individual from outside, Asian or

European, could take the chair at such a conference. It needs little imagination to recognise the qualities of head and heart which he would require. I spoke too of Mr. Nehru's dilemma. If India could agree to this initial procedure, subsequent moves would be taken out of Mr. Nehru's hands. Thus unpopular decisions from the Indian point of view could not be associated with the Indian Prime Minister. The gloomy predictions of Nehru's downfall and a tottering Indian National Congress, if they ever held reality, would in these conditions recede so as to become figments of the imagination. If a representative conference were to agree mutually on the election of its own chairman, then naturally recourse to outside talent would not be necessary.

Exactly what should such a conference achieve? There would seem one immediate issue for its consideration. That is the fate of certain minorities whose desires, before a plebiscite is even considered, are beyond dispute. If the conference agreed to treat Kashmir as one unit, then the subsequent plebiscite would have to be on an all-Kashmir basis. It should not come to this conclusion without indicating the manner in which such a plebiscite could be conducted; and since a moment's reflection reveals insurmountable difficulties, I cannot believe that any responsible body would now advocate it. We are past the days when either Pakistan or India would insist on the one verdict for the one State, though neither of the countries has yet formally admitted it. There is one qualification to this slightly arbitrary claim. It is that if the conference were agreed to consider Sheikh Abdullah's quite logical plan of a federation of five units in a federal State, then this should clearly be presented as the form which the Kashmir State would assume after the decision as to its allegiance had been taken. A Federation within a Republic would be the result, and in holding the plebiscite it would be necessary to include the issue of federation along with that of accession. The most probable development is that a representative body would advocate a regional plebiscite, or alternatively the wishes of the northern areas and Ladakh could be taken as known, and the plebiscite would then be confined to Poonch and the Jammu and Kashmir Provinces. By agreement round a table the plebiscite area might be even further reduced, until only the Kashmir Valley would be required to record its verdict.

These, then, are the issues which would come before a conference, and I do not think it is possible to look beyond these preliminaries. So much would depend on the degree of mutual confidence which could be developed round the table. Removed from the physical proximity of Kashmir and under sympathetic guidance, a body of men, however wide apart their initial points of view might be, could develop that spirit of co-operation which would enable them to stay together and press forward to the acceptance of more detailed and practical proposals. There might even emerge the foundations of a new Assembly qualified to administer the country until the day of free elections. For once a normal election can be held divorced from such frustrating matters as plebiscites and

accessions, the Kashmiris will have experienced their first real lesson in democracy.

In what respects do these principles differ from methods previously tested and found wanting? For they are but principles without the definition of a plan. The clear distinction is that Kashmiris themselves play their part and might even discover in deliberation that they could control the subsequent developments. I have only suggested; and if some more acceptable proposals emerge as 1955 passes, then assuredly would they be welcome. It may be that with the passing of the years Pakistan's resentment and frustration at the failures of international intervention will have mellowed. If Pakistan to-day is prepared to surrender where formerly she was determined to wait until the end of time, then indeed time provides the unsatisfactory but certain healing process. The cease-fire line with boundary adjustments assumes permanency as a new generation comes to power removed some twenty years from the events of 1947. If so, then it is not for outsiders to prod the situation and keep bitterness alive. No one can decide that particular issue except the Pakistanis themselves. In contrast, if it is their intention to continue to press their demands, I have sometimes thought that it would be in their own interests to give some mild indication of how they envisage so rich a reward as Kashmir being administered under their influence. Their own internal troubles, constitutional, political and economic, have not encouraged observers to believe that Kashmir's progress would be along a path of roses. Particularly is this the case where continuity in Kashmir's economic development is involved. Pakistan is hardly in a position to subsidise the State up to the amounts which India is prepared to spend; and finance from outside would for several years seem not only logical but inevitable. It would be but diplomacy for Pakistan to concede in advance some of those principles of co-operation with existing resources, human and material, to which I have drawn attention. In doing so they might recall the words of the Quaid-i-Azam on the day of the realisation of his dream, Pakistan.

"If you work in a spirit of co-operation, forgetting the past, I will say that every one of you, no matter to what community you belong, no matter what your colour, caste and creed, is first, second and last a citizen of this State with equal rights, privileges and obligations. You are free to go to your temples and to your places of worship in this State of Pakistan. . . . We are starting this State with no discrimination, no distinction between one community and another, between caste or creed. We are starting with this fundamental principle that we are citizens and equal citizens of one State. We shall keep that in front of us as our ideal, Hindus will cease to be Hindus and Moslems will cease to be Moslems, not in the religious sense because that is the personal faith with each individual, but in the political sense as citizens of the Nation."

It might be argued that if Pakistan accepts the inspiration behind this message, then it is illogical to demand Kashmir as a country of co-religionists. I think that the approach is a little too simple. The principle to which all should cling—and no problem will really be solved with permanence unless somewhere in the background is a principle—is that a people must be permitted to express its will. In days when rival ideologies strive to capture mankind there is a greater battle than Kashmir. For those who believe in freedom with all its penalties along with its rewards, any opportunity to uphold government of, for, and by the people should be regarded as a challenge. Too often in contemporary events the process of the people's will seeking its expression has been prostituted to the use and advantage of evil men in the fair name of democracy. In a world where warfare has come to stay on the ideological front, let it not be said that we deserted democracy in a distant land, Kashmir, when perhaps some living symbol of democracy's defence could offer hope to a wider audience of millions who watch and wait.

There we will leave the Kashmir issue in the doubt which governs speculation until the end. When in the past nations have resorted to war in claiming territory, the people of the land in dispute have often remained inarticulate in the heat of controversy. So it would seem with Kashmir. At least two political parties within the State, two neighbouring members of the Commonwealth, a great portion of the Islamic world and the prestige of the United Nations are concerned with the future. Yet the boatman on the river, the peasant in his rice-field, and the craftsman in the bazaar, might if they could voice their desires, sometimes evince a craving for the freedom of a land of neither politics nor national aspiration. Such is the folly which men perpetrate in the name of political consciousness and conscience, with their futile emotions and ambitions. If the Kashmir episode could in any way contribute to the education of a world whose poverty of political morality must amaze the hosts of heaven, then perhaps somewhere there is compensation for so sad a story.

## EPILOGUE—NEGOTIATION. INDECISION.

1955

I HAVE at this point to repeat an apology which was suggested in the Introduction. This narrative was written in the middle of events and so cannot be regarded as history. The historian waits until the last word is said before he writes; and in August 1955 in Kashmir the last word had certainly not been said. A more appropriate classification for this book would seem to be that of a diary. A diary is after all a not unimportant supplement to history and it is in this light that it seemed only intelligent to add an account of the meeting of Mr. Nehru and Mr. Mohammed Ali in May 1955 together with some relevant comment on subsequent developments.

After the extremely inauspicious manner in which the Nehru-Mohammed Ali correspondence had petered out in 1953 the meeting of the two Prime Ministers in 1955 was watched with considerable interest. Talks started in Delhi on 15th May and lasted three days. To many it came as a pleasant surprise to note the comparative ease with which a statement of agreement emerged. On the other hand, it was extremely difficult to discover exactly what had been achieved:—

“In the course of joint talks the Kashmir problem was discussed in all its aspects. It was decided to continue these talks at a later stage after full consideration had been given by both Governments to the various points that had been discussed in the course of these meetings.”

Thus ran the communiqué issued on 18th May. Here indeed was a damp squib after all the fireworks which had gone before. Maybe the fact that subjects other than Kashmir had been covered facilitated the impression that cordiality had governed the meetings. In the light of subsequent reports from Karachi it was difficult to avoid the conclusion that Mr Mohammed Ali had spoken in tones of appeasement in Delhi, reserving a “no-retreat” attitude for his colleagues at home. The aftermath in Karachi, particularly in regard to a Press conference on 26th May, raised a number of uncomfortable reflections. Was it true that the Prime Minister had agreed to forgo United States aid in order to expedite a decision on Kashmir? Had Colonel Nasser from Egypt been suggested as a Plebiscite Administrator? Had the Prime Minister used words such as “referendum” and “election” in addition to the accepted term “plebiscite”? Finally, Mr. Mohammed Ali was faced

with a direct question concerning the part played by the Security Council. Would the case return to the Council if next time talks failed? "Why should we talk of it? We have no intention of withdrawing the case from the Security Council. The United Nations Security Council is seized of this dispute and it will remain there."<sup>1</sup> The reply could only mean that Pakistan still regarded the commitment to a plebiscite as binding. Without that understanding the further association of the Security Council with Kashmir would be meaningless. On the same occasion Mr. Mohammed Ali himself fully confirmed his attitude to a plebiscite. "It is still our stand that there should be a plebiscite for the whole of Kashmir," he told his audience. And yet on 18th May *The Times* correspondent from Delhi had written:—

"One fact emerged, and that is that a plebiscite as a means for the Kashmiris to express their choice is as dead as all other proposals that have been made in the past. It has now been decided that, while the future of the State still rests with the people, other means must be devised to find out what they really want."

I referred to the fortuitous circumstances by which matters other than Kashmir were discussed in Delhi. For years the two countries concerned and the watching world had taken the view that a Kashmir settlement would prove the means by which all other Indo-Pakistani problems would be solved. "Settle Kashmir and the other pieces will fit into the puzzle" expressed the view of enlightened public opinion. Early in 1955 there were signs that, so far as Pakistan was concerned, a different approach was emerging. In May 1955 General Iskander Mirza, Pakistan's Minister for the Interior, accompanied Mr. Mohammed Ali to Delhi, where he was occupied not so much with reinforcing the arguments about Kashmir as with negotiating freedom of movement of trade and passengers, both across the mutual frontier and between East and West Pakistan. The simplification of the visa system and the settlement of outstanding debts were also points that came up for discussion. In short, the emphasis had shifted. "Settle the minor matters first and perhaps the place for the key piece in the puzzle might become apparent", was the new and welcome approach. The result, as we have noted, was hardly according to plan. It had been expected that the problem would either be solved or the parties would separate in anger and frustration. In the event neither development took place. The problem remained just where it was, and the two Prime Ministers parted in mild and mutual congratulation.

All that had emerged from the latest encounter was that talks would again be resumed after Mr. Nehru's return from Moscow. In addition, it was clear that some modification of the original form of plebiscite had

<sup>1</sup> Previously on 21st May Sardar Mumtaz Ali Khan, Minister for Kashmir Affairs, made a statement in the same sense. "Pakistan has not deviated and shall not deviate, from her stand on a fair and impartial plebiscite in Kashmir."

been discussed. Whether or not Mohammed Ali had agreed it seemed impossible to say. So long as it could be claimed that a formula, "the will of the people", had been satisfied, the method by which the people's desires are ascertained is apparently open to different interpretations. My mind turned to the conversation I had had with Mr. Nehru two months previously. To place the responsibility for so vital a decision on the shoulders of ignorant Kashmiris was hardly fair, he had argued. The introduction of some representative body to take the decision on their behalf was in his mind.

If the Pakistanis were ready to accept such an interpretation, it was certainly not for Englishmen at a distance either to moralise or condemn. But the Pakistan Prime Minister's apparent evasions puzzled onlookers. Maybe his Cabinet had decided that May 1955 was not the moment for a brave stand. The domestic constitutional crisis was at its height. The legitimacy of the State itself was being challenged in the courts. To force the issue in Delhi might have brought the obvious retort that at that stage Pakistan was not fit to accept the responsibility of Kashmir.

It did seem that with the fierce relentless advocacy of Sir Zafrullah Khan removed from the scene, some of the fire and enthusiasm of the Pakistan case had departed with him. Were there now doubts in Karachi concerning the plebiscite? Were there second thoughts concerning the economic ability to shoulder fresh responsibilities?

In July 1955 the indications were that from a constitutional point of view Pakistan had turned the corner. That being so, a future meeting may well reveal a toughening of the Pakistani attitude. It is for their leadership to decide; and since that leadership itself may well change according to new political alignments, the issue of Kashmir in the middle of 1955 was still to be regarded as a formidable question mark. Indeed the Pakistanis subsequently seemed anxious to retrieve the ground they had seemingly lost; and an opportunity came in July when Pandit Pant, the Indian Home Minister, made some challenging observations at a Press conference in Srinagar. The Indian Government, he said, had made certain statements when Kashmir acceded to India—that the future of the State would be decided by a plebiscite. But circumstances were then different. The time factor was important and many things had happened since.<sup>1</sup> Meanwhile there was evidence that in order to control opposition the National Conference Party in Kashmir had organised a private army passing under the ominous title of the "peace brigade". Pandit Pant's observations were made at a time when Mr. Nehru was out of the country. But as a responsible Minister he presumably spoke for his Government thereby confirming all the impressions I had received three months previously in Delhi. The Pakistan Government promptly lodged an official protest. They asked that the Pandit's statement should be publicly disavowed and that India should reaffirm unequivocally that

<sup>1</sup> Report of *The Times* correspondent. Delhi, 10th July 1955.



all international commitments in Kashmir, including the plebiscite, should be honoured. It did seem that Mr. Mohammed Ali's somewhat ambiguous attitude in May had hardly represented the views of his Cabinet.

Whatever the truth, I repeat that here is no case for our judgment. Rather should we, as the focus of the great Commonwealth conception, be grateful that we have hitherto been spared the spectacle of two member States allowing their mutual relations so to deteriorate as to challenge the whole future of the Commonwealth in its search for evolution in a changing world. Our hope must be that if and when these two partners are ever tempted to allow their relationship to drift once again to conditions near to breakdown, the Commonwealth framework may be there as a leavening influence of comfort for leaders who might welcome the advice and assistance of friends ready to help.

KASHMIR AND  
SURROUNDING  
COUNTRIES



SINKIANG

TIBET

NEPAL

INDIA

PERSIA

EAST  
PAKISTAN

oTashkent

oKashgar

oYarkand

oDelhi

oKabul

Peshawar

Punjab

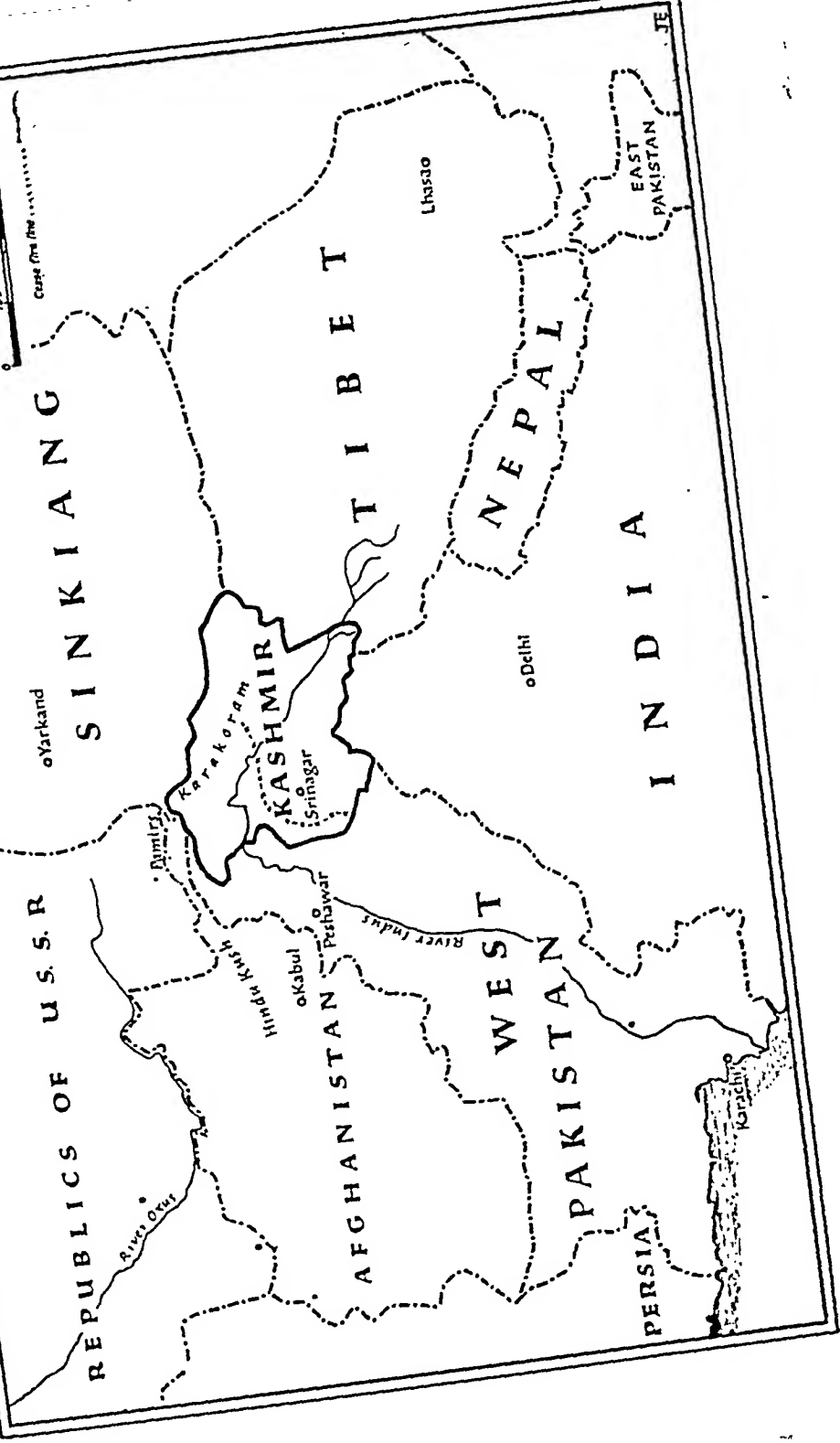
Kashmir  
Srinagar  
Karakoram

Hindu Kush

River Indus

Amu Darya

Kandahar





## APPENDIX ONE

### THE TREATY OF AMRITSAR, 1846

*TREATY BETWEEN THE BRITISH GOVERNMENT* on the one part and *MAHARAJA GULAB SINGH OF JAMMU* on the other concluded on the part of the BRITISH GOVERNMENT by FREDERICK CURRIE, Esquire, and BREVET-MAJOR HENRY MONTGOMERY LAWRENCE, acting under the orders of the RIGHT HONOURABLE SIR HENRY HARDINGE, G.C.B., one of HER BRITANNIC MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, GOVERNOR-GENERAL of the possessions of the EAST INDIA COMPANY, to direct and control all their affairs in the EAST INDIES and by MAHARAJA GULAB SINGH in person—1846.

#### *Article 1.*

The British Government transfers and makes over for ever in independent possession to Maharaja Gulab Singh and the heirs male of his body all the hilly or mountainous country with its dependencies situated to the eastward of the River Indus and the westward of the River Ravi including Chamba and excluding Lahul, being part of the territories ceded to the British Government by the Lahore State according to the provisions of Article IV of the Treaty of Lahore, dated 9th March, 1846.

#### *Article 2.*

The eastern boundary of the tract transferred by the foregoing article to Maharaja Gulab Singh shall be laid down by the Commissioners appointed by the British Government and Maharaja Gulab Singh respectively for that purpose and shall be defined in a separate engagement after survey.

#### *Article 3.*

In consideration of the transfer made to him and his heirs by the provisions of the foregoing article Maharaja Gulab Singh will pay to the British Government the sum of seventy-five lakhs of Rupees (Nanukshahce), fifty lakhs to be paid on ratification of this Treaty and twenty-five lakhs on or before the 1st October of the current year, A.D. 1846.

#### *Article 4.*

The limits of the territories of Maharaja Gulab Singh shall not be at any time changed without concurrence of the British Government.

#### *Article 5.*

Maharaja Gulab Singh will refer to the arbitration of the British Government any disputes or questions that may arise between himself and the Government of Lahore or any other neighbouring State, and will abide by the decision of the British Government.

*Article 6.*

Maharaja Gulab Singh engages for himself and heirs to join, with the whole of his Military Forces, the British troops, when employed within the hills or in the territories adjoining his possessions.

*Article 7.*

Maharaja Gulab Singh engages never to take or retain in his service any British subject nor the subject of any European or American State without the consent of the British Government.

*Article 8.*

Maharaja Gulab Singh engages to respect in regard to the territory transferred to him, the provisions of Articles V, VI, and VII, of the separate Engagement between the British Government and the Lahore Durbar, dated 11th March, 1846.<sup>1</sup>

*Article 9.*

The British Government will give its aid to Maharaja Gulab Singh in protecting his territories from external enemies.

*Article 10.*

Maharaja Gulab Singh acknowledges the supremacy of the British Government and will in token of such supremacy present annually to the British Government one horse, twelve shawl goats of approved breed (six male and six female) and three pairs of Cashmere shawls.

This Treaty of ten articles has been this day settled by Frederick Currie, Esquire, and Brevet-Major Henry Montgomery Lawrence, acting under directions of The Right Honourable Sir Henry Hardinge, G.C.B., Governor-General, on the part of the British Government and by Maharaja Gulab Singh in person, and the said Treaty has been this day ratified by the seal of The Right Honourable Sir Henry Hardinge, G.C.B., Governor-General.

(Done at Amritsar the sixteenth day of March, in the year of our Lord one thousand eight hundred and forty-six, corresponding with the seventeenth day of Rubee-ul-Awal 1262 Jijree).

(Signed) H. HARDINGE (Seal)

(Signed) F. CURRIE

(Signed) H. M. LAWRENCE

By Order of the Right Honourable the Governor-General of India.

(Signed) F. CURRIE,  
Secretary to the Government of India,  
with the Governor-General.

<sup>1</sup> Referring to *jagirdars*, arrears to revenue, and the property in the forts that are to be transferred.

# APPENDIX TWO

## POPULATION STATISTICS OF JAMMU AND KASHMIR STATE ACCORDING TO THE GOVERNMENT OF INDIA CENSUS REPORT OF 1941

<i>District or Province</i>	<i>Area (square miles)</i>	<i>Moslems</i>	<i>Non- Moslems <sup>4</sup></i>	<i>Total population</i>
1. Jammu Province <sup>2</sup> . . .	12,378	1,215,676	765,757	1,981,433
(a) Jammu District . . .	1,147	170,789	260,573	431,362
(b) Kathua District . . .	1,023	45,214	132,458	177,672
(c) Udhampur District . . .	5,070	128,327	165,890	294,217
(d) Reasi District . . .	1,789	175,539	82,364	257,903
(e) Mirpur District . . .	1,627	310,880	75,775	386,655
(f) Chenani Jagir . . .	95	2,205	9,591	11,796
(g) Poonch Jagir . . .	1,627	382,722	39,106	421,828
2. Kashmir Province . . .	8,539	1,615,478	113,227	1,728,705
(a) Baramula District . . .	3,317	590,936	21,492	612,428
(b) Anantnag District . . .	2,814	778,684	72,922	851,606
(c) Muzaffarabad District . . .	2,408	245,858	18,813	264,671
3. Frontier Districts <sup>3</sup> . . .	63,554	270,093	41,385	311,478
(a) Ladakh District . . .	45,762	154,492	40,939	195,431
(b) Astore District . . .	1,632	16,878	148	17,026
(c) Gilgit (leased Area) . . .	1,480	22,296	199	22,495
(d) Gilgit Agency . . .	14,680	76,427	99	76,526
Jammu and Kashmir State . . .	84,471	3,101,247	920,369	4,021,616 <sup>1</sup>

<sup>1</sup> In 1941 Moslems constituted 77·11 per cent. of the total population of Jammu and Kashmir. Hindus were 20·12 per cent., Sikhs 1·64 per cent., Buddhists 1·01 per cent. and others 0·12 per cent. The increase in population since 1941 has been estimated at 1 per cent. per annum.

<sup>2</sup> Included the Jagir of Poonch, administered by the Raja of Poonch as Jagirdar subject to the sovereignty of the Maharaja of Kashmir.

<sup>3</sup> Consisted of Ladakh, Baltistan and the Gilgit Agency. Previous to Aug. 1947 the latter owed a limited loyalty to the Maharaja of Kashmir but was administered by a Political Agent of the Government of India. The population is predominantly Shiah Moslem, but Eastern Ladakh includes some 40,000 Buddhists, who have declared their attachment to India.

<sup>4</sup> Includes approximately 807,000 Hindus and 66,000 Sikhs. Hindus are concentrated in and around Jammu.

## APPENDIX THREE

### RULERS OF KASHMIR

- (1.) 1587. The Moghul Emperor Akbar. The State continued under Moghul control until 1752.  
 1752. Durani conquest. (Rule from Kabul.)  
 1819. Maharaja Ranjit Singh. (Sikh Rule.)  
 1846. Maharaja Gulab Singh }  
 1857. Maharaja Ranbir Singh } (Dogra Rule.)  
 1885. Maharaja Pertap Singh }  
 1925. Maharaja Hari Singh }

*Note.*—Maharaja Hari Singh is the son of Raja Amar Singh, a brother of Maharaja Pertap Singh.

### CHIEF MINISTERS OF JAMMU AND KASHMIR STATE

- (2.) 1. Sir Albion Bannerjee. 1927–29. Senior Member of Council.  
 2. Mr. G. E. C. Wakefield. 1929–31. Senior Member of Council.  
 3. Sir Hari Kishan Kaul. 1931–32. Prime Minister.  
 4. Lieut.-Colonel Colvin. 1932–26.  
 (Indian Political Department)  
 5. Sir Gopalaswami Ayyengar. 1936–43.  
 6. Sir Maharaj Singh. April 1943–July 1943.  
 7. Sir K. Narain Haksar. July 1943–January 1944.  
 8. Sir Benegal N. Rao. January 1944–1945.  
 9. Ram Chandra Kak. 1945–47.  
 10. Janak Singh. August 1947–October 1947.  
 11. Mehr Chand Mahajan. October 1947–48.  
 12. Sheikh Abdullah. 1948–54.  
 13. Bakshi Ghulam Mohammed. 1954.

*Note.*—A feature of the arrival and departure of Ministers is the fact that after 1943 the changes were rung at a faster pace, reflecting increasing doubt and instability. Of the latter group of Ministers, the few months of Sir Maharaj Singh's administration should be noted for its tolerance and sympathy. Both Sir Maharaj Singh and his wife were Christians, who identified themselves with the lives of the people in a way which proved to be too democratic for the Dogra ruling house. Sir K. N. Haksar, who succeeded had had previous experience in Rajputana and Central India where conditions permitted feudal methods to flourish without question. Grain riots in Jammu in the winter of 1943 brought about his resignation. Sir Benegal Rao, a former judge of the Calcutta High

## APPENDIX THREE

Court, will be remembered as India's very able representative at the Security Council. In effect Sir K. N. Haksar functioned for a long period while Sir B. N. Rao was deciding whether or not to accept the Kashmir appointment. Major-General Janak Singh was an elderly Dogra officer of the State Forces and reflected the urgency of the security situation from the Maharaja's point of view. Mehr Chand Mahajan is (1955) a judge of the High Court in Punjab (India).



#### APPENDIX FOUR

### JAMMU AND KASHMIR STATE FORCES IN SEPTEMBER 1947

1. Jammu and Kashmir Bodyguard Cavalry Regiment. All Hindu Dogras.
2. 1st Jammu and Kashmir Infantry Battalion. All Hindu Dogras.
3. 2nd Jammu and Kashmir Rifle Battalion. Half Gurkhas, half Moslems.
4. 3rd Jammu and Kashmir Rifle Battalion. Half Gurkhas, half Hindu Dogras.
5. 4th Jammu and Kashmir Infantry Battalion. Half Hindu Dogras, half Moslems.
6. 5th Jammu and Kashmir Infantry Battalion. All Hindu Dogras.
7. 6th Jammu and Kashmir Infantry Battalion. Half Sikhs, half Moslems.
8. 7th Jammu and Kashmir Infantry Battalion. All Hindu Dogras.
9. 8th Jammu and Kashmir Infantry Battalion. All Hindu Dogras.
10. 9th Jammu and Kashmir Infantry Battalion. All Hindu Dogras.

*Note.*—In World War II Serial (3) served in Persia and Serial (5) served in Burma.

Serials (8) and (9) served on the North-West Frontier of India. Three State Mountain Batteries were taken over by the Indian Army in 1943, two of which went on active service to Eritrea. The Infantry Training Centre and School, and the Animal and Mechanical Transport were of mixed composition.

In addition, twelve garrison companies were raised from non-Moslems just before partition. They were armed with rifles and were regarded as reinforcements for the State Forces.

## APPENDIX FIVE

### LETTER OF 26TH OCTOBER 1947, FROM MAHARAJA SIR HARI SINGH TO LORD MOUNTBATTEN, REQUESTING THE ACCESSION OF THE STATE TO INDIA

My dear Lord Mountbatten,

I have to inform Your Excellency that a grave emergency has arisen in my State and request the immediate assistance of your Government. As Your Excellency is aware, the State of Jammu and Kashmir has not acceded to either the Dominion of India or Pakistan. Geographically my State is contiguous with both of them. Besides, my State has a common boundary with the Union of Soviet Socialist Republics and with China. In their external relations the Dominions of India and Pakistan cannot ignore this fact. I wanted to take time to decide to which Dominion I should accede or whether it is not in the best interests of both the Dominions and of my State to stand independent, of course with friendly and cordial relations with both. I accordingly approached the Dominions of India and Pakistan to enter into a standstill agreement with my State. The Pakistan Government accepted this arrangement. The Dominion of India desired further discussion with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact the Pakistan Government under the standstill agreement is operating the post and telegraph system inside the State. Though we have got a standstill agreement with the Pakistan Government, that Government permitted a steady and increasing strangulation of supplies like food, salt and petrol to my State.

Afridis, soldiers in plain clothes, and desperadoes with modern weapons have been allowed to infiltrate into the State, at first in the Poonch area, then from Sialkot and finally in a mass in the area adjoining the Hazara District on the Ramkote side. The result has been that the limited number of troops at the disposal of the State had to be dispersed and thus had to face the enemy at several points simultaneously, so that it has become difficult to stop the wanton destruction of life and property and the looting of the Mahura power house, which supplies electric current to the whole of Srinagar and which has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the State are marching on with the aim of capturing Srinagar, the summer capital of my Government, as a first step to overrunning the whole State. The mass infiltration of tribesmen drawn from distant areas of the North-West Frontier Province, coming regularly in motor trucks, using the Manselira-Muzaffarabad road and fully armed with up-to-date weapons, cannot possibly be done without the knowledge of the Provincial Government of the North-West Frontier Province and the Government of Pakistan. In spite of repeated appeals made by my Government no attempt has been made to check these raiders or to stop them from coming into my State. In fact, both the radio and the Press of Pakistan have reported these occurrences. The Pakistan radio

even put out the story that a provisional government has been set up in Kashmir. The people of my State, both Muslims and non-Muslims, generally have taken no part at all.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my State acceding to the Dominion of India. I have accordingly decided to do so, and I attach the instrument of accession for acceptance by your Government. The other alternative is to leave my State and the people to freebooters. On this basis no civilised government can exist or be maintained. This alternative I will never allow to happen so long as I am the ruler of the State and I have life to defend my country.

I may also inform Your Excellency's Government that it is my intention at once to set up an interim government and to ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my State is to be saved, immediate assistance must be available at Srinagar. Mr. V. P. Menon is fully aware of the gravity of the situation and will explain it to you, if further explanation is needed.

In haste and with kindest regards,

Yours sincerely,  
(Signed) HARI SINGH.

REPLY OF 27TH OCTOBER 1947, FROM  
LORD MOUNTBATTEN TO  
MAHARAJA SIR HARI SINGH

My dear Maharaja Sahib,

Your Highness's letter dated 26 October 1947 has been delivered to me by Mr. V. P. Menon. In the special circumstances mentioned by Your Highness, my Government have decided to accept the accession of Kashmir State to the Dominion of India. In consistence with their policy that in the case of any State where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish that, as soon as law and order have been restored in Kashmir and its soil cleared of the invader, the question of the State's accession should be settled by a reference to the people.

Meanwhile, in response to Your Highness's appeal for military aid, action has been taken to-day to send troops of the Indian Army to Kashmir, to help your own forces to defend your territory and to protect the lives, property, and honour of your people. My Government and I note with satisfaction that Your Highness has decided to invite Sheikh Abdullah to form an interim Government to work with your Prime Minister.

(Signed) MOUNTBATTEN OF BURMA.

# APPENDIX SIX

## TELEGRAM SENT FROM INDIA TO PAKISTAN WHICH EFFECTED THE "CEASE-FIRE" ON 1ST JANUARY 1949

From Ind. Army	Date	Time
To Pak. Army	30	1710

Top Secret 220835/MO3.

Bucher to Gracey. In view of political developments my Government thinks continuation of moves and counter-moves too often due to misunderstanding accompanied by fire support. Seems senseless and wasteful in human life besides only tending to embitter feelings. My Government authorises me to state I will have their full support if I order Indian troops to remain in present positions and to cease fire. Naturally I cannot issue any such order until I have assurance from you that you are in a position to take immediate reciprocal and effective action. Please reply most immediate. If you agree I shall send you by signal verbatim copies of any orders issued by me and will expect you to do the same.

(Sgd.) SHEJ MANEKSHAW  
Brig.

Acting C.G.S. 30th December 1948.

## APPENDIX SEVEN

### ORIGINAL COMPOSITION OF THE U.N.C.I.P.

Argentina.	Minister Ricardo J. Siri	Nominated by Pakistan
Belgium.	Minister Carlos A. Laguizaman	Selected by the Security Council
	Ambassador Va de Kerchove	
	Minister Egbert Graeffe	
Czechoslovakia.	Mr. Harry Graeffe	Nominated by India
	Ambassador Joseph Korbel	
	Ambassador Oldrich Chyle	
Colombia.	Minister Alfredo Lozano	Selected by the Security Council
	Mr. Hernando Samper	
United States.	Ambassador J. Klahr Huddle	Named by the Council's President
	Mr. C. H. Oakes	
	Minister Robert Macater	

Mr. Eric Colban served as personal representative of the U.N. Secretary General.

All the chief representatives, with the exception of the Argentina representative, were replaced during 1948 and 1949.

## APPENDIX EIGHT

### RESOLUTION OF THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN OF 13TH AUGUST 1948

The United Nations Commission for India and Pakistan,

Having given careful consideration to the points of view expressed by the representatives of India and Pakistan regarding the situation in the State of Jammu and Kashmir, and

Being of the opinion that the prompt cessation of hostilities and the correction of conditions and continuance of which is likely to endanger international peace and security are essential to implementation of its endeavours to assist the Governments of India and Pakistan in effecting a final settlement of the situation,

Resolves to submit simultaneously to the Governments of India and Pakistan the following proposal:

#### PART I.

A. The Governments of India and Pakistan agree that their respective High Commands will issue separately and simultaneously a cease-fire order to apply to all forces under their control in the State of Jammu and Kashmir as of the earliest practicable date or dates to be mutually agreed upon within four days after these proposals have been accepted by both Governments.

B. The High Commands of the Indian and Pakistani forces agree to refrain from taking any measures that might augment the military potential of the forces under their control in the State of Jammu and Kashmir.

(For the purpose of these proposals forces under their control shall be considered to include all forces, organised and unorganised, fighting or participating in hostilities on their respective sides.)

C. The Commanders-in-Chief of the forces of India and Pakistan shall promptly confer regarding any necessary local changes in present dispositions which may facilitate the cease-fire.

D. In its discretion and as the Commission may find practicable, the Commission will appoint military observers who, under the authority of the Commission and with the co-operation of both Commands, will supervise the observance of the cease-fire order.

E. The Government of India and the Government of Pakistan agree to appeal to their respective peoples to assist in creating and maintaining an atmosphere favourable to the promotion of further negotiations.

#### PART II.

Truce agreement

Simultaneously with the acceptance of the proposal for the immediate cessation of hostilities as outlined in Part I, both Governments accept the following principles

as a basis for the formulation of a truce agreement, the details of which shall be worked out in discussion between their representatives and the Commission.

#### A.

1. As the presence of troops of Pakistan in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council, the Government of Pakistan agrees to withdraw its troops from that State.

2. The Government of Pakistan will use its best endeavour to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the State for the purpose of fighting.

3. Pending a final solution, the territory evacuated by the Pakistani troops will be administered by the local authorities under the surveillance of the Commission.

#### B.

1. When the Commission shall have notified the Government of India that the tribesmen and Pakistani nationals referred to in Part II, A, 2 hercof have withdrawn, thereby terminating the situation which was represented by the Government of India to the Security Council as having occasioned the presence of Indian forces in the State of Jammu and Kashmir, and further, that the Pakistani forces are being withdrawn from the State of Jammu and Kashmir, the Government of India agrees to begin to withdraw the bulk of its forces from that State in stages to be agreed upon with the Commission.

2. Pending the acceptance of the conditions for a final settlement of the situation in the State of Jammu and Kashmir, the Indian Government will maintain within the lines existing at the moment of the cease-fire the minimum strength of its forces which in agreement with the Commission are considered necessary to assist local authorities in the observance of law and order. The Commission will have observers stationed where it deems necessary.

3. The Government of India will undertake to ensure that the Government of the State of Jammu and Kashmir will take all measures within its power to make it publicly known that peace, law and order will be safeguarded and that all human and political rights will be guaranteed.

#### C.

1. Upon signature, the full text of the truce agreement or a communiqué containing the principles thereof as agreed upon between the two Governments and the Commission, will be made public.

### PART III.

The Government of India and the Government of Pakistan reaffirm their wish that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people and to that end, upon acceptance of the truce agreement, both Governments agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured.

## APPENDIX NINE

### RESOLUTION OF THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN OF 5TH JANUARY 1949

The United Nations Commission for India and Pakistan,

Having received from the Governments of India and Pakistan, in communications dated 23 December and 25 December 1948, respectively, their acceptance of the following principles which are supplementary to the Commission's Resolution of 13 August 1948:

1. The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite;

2. A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements set forth in Parts I and II of the Commission's resolution of 13 August 1948 have been carried out and arrangements for the plebiscite have been completed;

3. (a) The Secretary-General of the United Nations will, in agreement with the Commission, nominate a Plebiscite Administrator who shall be a personality of high international standing and commanding general confidence. He will be formally appointed to office by the Government of Jammu and Kashmir.

(b) The Plebiscite Administrator shall derive from the State of Jammu and Kashmir the powers he considers necessary for organising and conducting the plebiscite and for ensuring the freedom and impartiality of the plebiscite.

(c) The Plebiscite Administrator shall have authority to appoint such staff of assistants and observers as he may require.

4. (a) After implementation of Parts I and II of the Commission's resolution of 13 August 1948, and when the Commission is satisfied that peaceful conditions have been restored in the State, the Commission and the Plebiscite Administrator will determine, in consultation with the Government of India, the final disposal of Indian and State armed forces, such disposal to be with due regard to the security of the State and the freedom of the plebiscite.

(b) As regards the territory referred to in A.2 of Part II of the resolution of 13 August, final disposal of the armed forces in that territory will be determined by the Commission and the Plebiscite Administrator in consultation with the local authorities.

5. All civil and military authorities within the State and the principal political elements of the State will be required to co-operate with the Plebiscite Administrator in the preparation for and the holding of the plebiscite.



6. (a) All citizens of the State who have left it on account of the disturbances will be invited and be free to return and to exercise all their rights as such citizens. For the purpose of facilitating repatriation there shall be appointed two Commissions, one composed of nominees of India and the other of nominees of Pakistan. The Commission shall operate under the direction of the Plebiscite Administrator. The Governments of India and Pakistan and all authorities within the State of Jammu and Kashmir will collaborate with the Plebiscite Administrator in putting this provision into effect.  
(b) All persons (other than citizens of the State) who on or since 15 August 1947 have entered it for other than lawful purpose, shall be required to leave the State.
7. All authorities within the State of Jammu and Kashmir will undertake to ensure, in collaboration with the Plebiscite Administrator, that:
- (a) There is no threat, coercion or intimidation, bribery or other undue influence on the voters in the Plebiscite;
  - (b) No restrictions are placed on legitimate political activity throughout the State. All subjects of the State, regardless of creed, caste or party, shall be safe and free in expressing their views and in voting on the question of the accession of the State to India or Pakistan. There shall be freedom of the Press, speech and assembly, and freedom of travel in the State, including freedom of lawful entry and exit;
  - (c) All political prisoners are released;
  - (d) Minorities in all parts of the State are accorded adequate protection; and
  - (e) There is no victimisation.
8. The Plebiscite Administrator may refer to the United Nations Commission for India and Pakistan problems on which he may require assistance, and the Commission may in its discretion call upon the Plebiscite Administrator to carry out on its behalf any of the responsibilities with which it has been entrusted;
9. At the conclusion of the plebiscite, the Plebiscite Administrator shall report the result thereof to the Commission and to the Government of Jammu and Kashmir. The Commission shall then certify to the Security Council whether the plebiscite has or has not been free and impartial;
10. Upon the signature of the truce agreement the details of the foregoing proposals will be elaborated in the consultations envisaged in Part III of the Commission's resolution of 13 August 1948. The Plebiscite Administrator will be fully associated in these consultations;
- Commends the Governments of India and Pakistan for their prompt action in ordering a cease-fire to take effect from one minute before midnight of 1 January 1949, pursuant to the agreement arrived at as provided for by the Commission's resolution of 13 August 1948; and
- Resolves to return in the immediate future to the sub-continent to discharge the responsibilities imposed upon it by the resolution of 13 August 1948 and by the foregoing principles.

## APPENDIX TEN

### PROPOSALS OF DR. FRANK GRAHAM OF 7TH SEPTEMBER 1951

#### *The Governments of India and Pakistan*

1. Reaffirm their determination not to resort to force and to adhere to peaceful procedures and specifically pledge themselves that they will not commit aggression or make war, the one against the other, with regard to the question of Jammu and Kashmir;

2. Agree that each Government, on its part, will instruct its official spokesmen and will urge all its citizens, organisations, publications and radio stations not to make warlike statements or statements calculated to incite the people of either nation to make war against the other with regard to the question of Jammu and Kashmir;

3. Reaffirm their will to observe the cease-fire effective from 1 January 1949 and the Karachi Agreement of 27th July 1949;

4. Reaffirm their acceptance of the principle that the question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite under the auspices of the United Nations;

5. Agree that subject to the provisions of paragraph 11 below the demilitarisation of the State of Jammu and Kashmir contemplated in the U.N.C.I.P. resolutions of 13th August 1948 and 5th January 1949 shall be effected in a single, continuous process;

6. Agree that this process of demilitarisation shall be completed during a period of 90 days, unless another period is decided upon by the representatives of the Indian and Pakistan Governments referred to in paragraph 9 below;

7. Agree that the demilitarisation shall be carried out in such a way that at the end of the period referred to in paragraph 6 above the situation will be:

#### A. *On the Pakistan side of the cease-fire line :*

- (i) the tribesmen and Pakistan nationals not normally resident therein who had entered the State for the purpose of fighting will have been withdrawn;
- (ii) the Pakistan troops will have been withdrawn from the State, and
- (iii) large-scale disbandment and disarmament of the Azad Kashmir forces will have taken place.

#### B. *On the Indian side of the cease-fire line :*

- (i) the bulk of the Indian forces in the State will have been withdrawn;
- (ii) further withdrawals or reductions, as the case may be, of the Indian and State Armed Forces remaining in the State after the completion of the operation referred to in B(i) above will have been carried out;

so that at the end of the period referred to in paragraph 6 above there will remain on the present Pakistan side of the cease-fire line force of \_\_\_\_\_<sup>1</sup> Civil Armed Forces; and on the Indian side of the cease-fire line a force of \_\_\_\_\_<sup>1</sup>

8. Agree that the demilitarisation shall be carried out in such a way as to involve no threat to the cease-fire agreement either during or after the period referred to in paragraph 6 above;

9. Agree that representatives of the Indian and Pakistan Governments assisted by their military advisers, will meet, under the auspices of the United Nations, to draw up a programme of demilitarisation in accordance with the provisions of paragraphs 5, 6, 7, and 8 above;

10. Agree that the Government of India shall cause the Plebiscite Administrator to be formally appointed to office not later than the final day of the demilitarisation period referred to in paragraph 6 above;

11. Agree that the completion of the programme of demilitarisation referred to in paragraph 9 above will be without prejudice to the functions and responsibilities of the United Nations Representative and the Plebiscite Administrator with regard to the final disposal of forces as set forth in paragraph 4 (a) and (b) of the 5th January 1949 resolution;

12. Agree that any differences regarding the programme of demilitarisation contemplated in paragraph 9 above will be referred to the Military Adviser of the United Nations Representative, and, if disagreement continues, to the United Nations Representative, whose decision shall be final.

#### *Revisions of paragraphs 6 and 7 of Dr. Graham's Proposals*

6. Agree that this process of demilitarisation shall be completed on 15th July 1952, unless another date is decided upon by the representatives of the Indian and Pakistan Governments referred to in paragraph 9;

7. Agree that the demilitarisation shall be carried out in such a way that on the date referred to in paragraph 6 above the situation will be:

#### *A. On the Pakistan side of the cease-fire line*

- (i) the tribesmen and Pakistan nationals not normally resident therein who had entered the State for the purpose of fighting will have been withdrawn;
- (ii) the Pakistan troops will have been withdrawn from the State, and
- (iii) large-scale disbandment and disarmament of the Azad Kashmir forces will have taken place.

#### *B. On the Indian side of the cease-fire line*

- (i) the bulk of the Indian forces in the State will have been withdrawn;
- (ii) further withdrawals or reductions, as the case may be, of the Indian and State Armed Forces remaining in the State after the completion of the operation referred to in B(i) above will have been carried out;

so that on the date referred to in paragraph 6 above there will remain on each side of the cease-fire line the lowest possible number of armed forces based in proportion on the number of armed forces existing on each side of the cease-fire line on 1st January 1949.

<sup>1</sup> The Governments of India and Pakistan were requested to fill in these figures.

## APPENDIX ELEVEN

### SUMMARY OF THE EIGHT-POINT AGREEMENT BETWEEN INDIA AND SHEIKH ABDULLAH'S GOVERNMENT ANNOUNCED BY MR. NEHRU ON 24TH JULY 1952

1. Citizenship. A common citizenship was recognised, with special privilege for State subjects.
2. The Head of the State to be recognised by the Indian President on the recommendation of the State Legislature. The State to decide the process of election of the Head of the State. Appointment to be for five years.
3. For "historical and sentimental reasons" a State flag to be recognised, but the Indian national flag to continue to have the same status as elsewhere in India.
4. The President of India to retain powers to reprieve and commute death sentences.
5. The President of India to exercise his emergency powers under Article 352 of the Indian Constitution in such matters as invasion and external or internal disturbances, in Kashmir. But in the case of internal disturbance, action to be taken only with the concurrence of the State.
6. The application of principles of Fundamental Rights, as defined in the Indian Constitution, to apply in Kashmir subject to certain modifications. For example, the Kashmir decision not to award compensation to dispossessed landlords is contrary to the Indian guarantee.
7. The Supreme Court of India to retain original jurisdiction in respect of disputes mentioned in Article 131. Such disputes are those between States or between a State and the Government of India. The State Advisory Tribunal to be abolished and its functions are to pass to the Supreme Court of India. This in effect made the Supreme Court the final Court of Appeal in all civil and criminal matters.  
(The Kashmir Government seemed uncertain over their final consent in this matter, and in his statement Pandit Nehru inferred generally that the agreement covered principles but not details.)
8. Financial arrangements between India and Kashmir including the difficult question of Customs had still to be worked out.

## APPENDIX TWELVE

### THE RIVERS OF KASHMIR, WEST PAKISTAN, AND INDIA

There has been much loose talk over the significance of Kashmir in regard to the rivers and canals of Pakistan and India. It is said that he who holds Kashmir controls the waters. That is true. But the significance of ownership is of a psychological rather than a practical nature. Of the rivers which flow into Pakistan from Kashmir, the Jhelum and Chenab could receive sufficient interference through Indian action in Kashmir territory to damage Pakistan's supplies of water. Such a move would, however, only result in the useless accumulation of large quantities of water in Kashmir to no purpose. The ability to store water has to be evaluated against the ability to remove it.

The headworks of the Jhelum and Chenab canal systems are respectively at Mangla and Meral, the former now being in Azad Kashmir, the latter in Pakistan. If therefore India were ever to lap up the narrow strip of Azad territory and control the whole of Kashmir, she would find herself in possession of the Mangla headworks controlling the Jhelum canal system. But it would seem a profitless inheritance; for again she would be unable to carry the water to Indian soil. In regard to the rivers Indus, Jhelum, and Chenab, a logical conclusion is therefore that had Kashmir been such a country as the Sudan, with great tracts of land waiting only for water to turn the desert into fields of cotton or crops, Pakistan's fears for her western rivers would be cause for anxiety. Without those conditions it is difficult to see how the water could be prevented from flowing, even if the desire to take preventive action was there.

In the case of the River Chenab, however, there are certain conditions which in some measure refute a complete conclusion. The Chenab may be regarded as the jugular vein of the old Punjab canal system. In the proposals which the World Bank put forward in 1954 as the basis for an Indo-Pakistan agreement it was assumed that India would in no way disturb the Chenab. A glance at the map will show that before the Chenab enters Kashmir it runs for a considerable distance in Indian territory in proximity to the Ravi, which lies over the hills to the south. At one point on the Chenab—Mahru—it is possible to tunnel through the Ravi and store water up to a capacity of six million acre-feet a year.<sup>1</sup> Such a scheme could produce water to open up a great tract of barren land in Rajasthan. Here is a case of India having to forgo benefits which would come to her if she had the full right of development of the Chenab. The ownership of Kashmir hardly affects the issue, since the site of possible Indian exploitation lies outside Kashmir territory. But there is yet another scheme which must go by default, since it is sited on Kashmir territory. To the north of Jammu, near Riasi, is a vast catchment area, Diangadh on the Chenab, which for many years has embodied the dreams of irrigation engineers. Its purpose, however, was to take water directly into

<sup>1</sup> An acre-foot is an irrigation measurement unit, being the amount of water required to cover one acre of land to the depth of one foot.

territory which is now in Pakistan. The creation of Pakistan has necessitated a laborious readjustment of the canals and rivers of the north. According to the advice of the World Bank experts, water will now be drawn off the three western rivers and brought down to the Lahore area in order to replace water from the eastern rivers which are to be regarded as exclusively reserved for India's future use. The allotment of the three western rivers to Pakistan and the three eastern rivers to India certainly placed a concise interpretation on a very controversial issue. But what a lot of trouble would be saved if a catchment area such as Diangadh could be regarded as available for the development of land immediately to the south. Diangadh lies in Kashmir territory which cannot be regarded as ever coming under Pakistan's control; nor is it possible to foresee the circumstances in which India would permit a scheme to be developed by Pakistan on Indian territory. These are the penalties of partition. The point to note is that the issue is not so much one of Pakistan's interests suffering according to the ownership of Kashmir, as the natural development of water resources for her benefit having to yield to more laborious and expensive plans in order to achieve a fair division of water.

That is the practical aspect of the Kashmir waters. There is, however, a psychological factor which cannot be disregarded. So long as this problem remains unsolved those who have to live and work in the neighbourhood inevitably fall under the corroding influence of a sore which refuses to heal. The waters of Pakistan's rivers come from the melting snows which are visible to Pakistani peasants in the bracing winter mornings of West Punjab. In such circumstances quarrels concerning measurements of water or rights of receiving irrigation are exaggerated out of proportion to their actual significance. A political settlement of Kashmir would create a happier atmosphere so necessary for the settlement of the use of rivers and canals, irrespective of the degree to which the actual flow of water is affected. That, I suggest, is the true significance of Kashmir in relation to the quarrel over water.

## GLOSSARY OF HINDI AND URDU WORDS, AND ABBREVIATIONS

*Atta*: flour.

*Azad*: free.

*Batai*: the old agricultural system of the East, by which the products of the land are divided equally between landlord and tenant.

*Bharat*: the old Sanskrit word for the sub-continent. Now adopted by India. (Bharat Mata: Mother India).

*Bhartiya Jan Sangh*: lit. "National People's Party".

*Bund*: containing wall for water.

*Chenar*: the Kashmir plane tree.

*Chikor*: hill partridge.

*Dogra*: a Hindu Rajput clan sprinkled along the Punjab-Kashmir border.

*Durbar*: a public occasion on which authority meets the community it governs.

*Dusehra*: Hindu festival on the first day of Ashwin (September-October). Celebrated with much ceremony in Rajasthan and the Mahratta country.

*Goondaism*: Hooliganism.

*Id*: a Moslem festival. The Ramzan (month's fast) is followed by the Id-al-fitr, corresponding to Christmas day. The Bakr-Id celebrates Abraham's sacrifice of Ishmael.

*I.N.A.*: Indian National Army. Raised from Indian prisoners of war under Japanese patronage for operations in World War II against our armed forces in Burma.

*I.N.C.*: Indian National Congress.

*Jagir*: A gift of land for services rendered to a Ruler. In the case of a very large jagir such as Poonch, the jagirdar would receive ruling rights, his obligation to Kashmir being merely to produce his annual tribute.

*Jehad*: a war undertaken as a religious obligation. A holy war.

*Kisan*: peasant.

*Lashkar*: a body of armed men.

*Lathi*: a stick; often a policeman's truncheon.

*Lokh Sabha*: House of the People (the lower House of the Indian Parliament).

*Mahasabha*: the former stronghold of a Hindu renaissance. A politico-religious movement, now usually known as the "Jan Sangh".

*Mali*: gardener.

*Malik*: owner or leader.

*Maund*: a measure of weight. Usually 80 lb.

*Mazdur*: worker.

*Nullah*: narrow river-bed.

*Parishad*: Assembly.

*Pashmina*: Kashmir wool.

*Patwari*: village official.

*Praja Parishad*: Assembly of State subjects.

*Praja Socialists*: an Indian political party formed from a combination of Socialists and the Peasants', Workers', and People's Party, in 1951.

*Pugree*: Indian headdress—turban.

*Ram Rajya Parishad*: orthodox Hindu party. Opposes cow slaughter, divorce, and inheritance by daughters. Prominent in Rajasthan.

*R.S.S.S.*: Rashtriya Sewam Sevak Sangh (National Self Service Society). Formerly a militant Hindu organisation.

*Sadar-i-Riyasat*: Ruler of the State.

*Satyagrahi*: one who performs non-violent resistance.

*S.C.O.R.*: Security Council Official Records.

*Sher-i-Kashmir*: Lion of Kashmir.

*Shiva*: the Hindu god of destruction.

*Tehsil*: administrative sub-division of a district.

*Tonga*: small two-wheeled passenger conveyance.

*Ud*: a musical instrument.

*Note on Currency.*

12 Pies = 1 Anna

16 Annas = 1 Rupee (1s. 6d. India, and 2s. 2d. Pakistan)

Rs. 100,000 = 1 Lakh (£7,520, India)

Rs. 100 Lakhs = 1 Crore (£752,000, India)





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AFGHANISTAN

U. S. S. R.

WAKHAN

GILGIT AGENCY

Gilg

R. Indus

FRONTIER PROVINCE

Abbotta-  
bado

Peshawar

Bagh

Palandrio

Rawalpindi

Kotli

Mirpu

Jhelum

NORTH-WEST  
P  
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W E S T  
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R. Jhelum

LA. JHELUM CAN.

Gujera

Wazir

THAL CANAL

Chen b

LA. S.

# KASHMIR

Boundary of Kashmir State

Provincial boundaries

International frontiers

Cease fire line

Railways

Note - The pre-partition boundary of the  
Gurdaspur District is indicated.

0 10 20 40 60 80 100 Miles

SINKIANG

UNZA

NAGAR

BALTISTAN

Skardu

Kargil

R. Indus

Leh

Dras

ZOJILA PASS

LADAKH

TIBET

KASHMIR PROVINCE

Baramulla

Srinagar

Anantnag

Poonch

Naushera

Riasi

Bhimbar

Akhnur

Jammu

Kathua

Pathankot

Sialkot

Lahore

Hariki

Ferozepore

SHAKRA DAM

SIRIND CANAL

INDIA

Indus

UNJAB

Based on a map illustrating Lord Birdwood's paper "Kashmir" in the July 1952 issue of Inter



